

## OREGON

Etta Owens Goudy, Wedderburn, Ore. Office became Presidential July 1, 1947.

## PENNSYLVANIA

Douglas James McHenry, Fort Washington, Pa., in place of M. M. Kavanagh, resigned.

## SOUTH DAKOTA

Pearl P. Beeninga, Monroe, S. Dak. Office became Presidential July 1, 1947.

## TEXAS

Sal Alvin Armstrong, Bigwells, Tex., in place of Mima Fessler, retired.

Bernice Gates, Flomot, Tex., in place of W. G. Tanner, resigned.

Mary C. Braden, Nada, Tex., in place of A. J. Lichnovsky, retired.

Rebecca Sewell, Wills Point, Tex., in place of Ellis Campbell, deceased.

## WEST VIRGINIA

James R. Judge, Pine Grove, W. Va., in place of W. S. Moore, transferred.

## CONFIRMATIONS

Executive nominations confirmed by the Senate on July 16, 1947, which were omitted from the CONGRESSIONAL RECORD of that date:

## POSTMASTERS

## WYOMING

George P. Hicks, Jr., Casper.

Signe S. Mackinen, Frontier.

Helen D. Weimer, Glendo.

Harry S. Cashman, Rawlins.

## HOUSE OF REPRESENTATIVES

THURSDAY, JULY 17, 1947

The House met at 11 o'clock a. m.

Rev. Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou Divine Spirit, who alone canst bring our forlorn and faltering humanity out of dark and devious ways into the radiant paths of a new day, we pray that we may give ourselves unreservedly and confidently to Thy leading.

Hitherto Thou hast been our refuge and strength and we have dwelt under the sheltering canopy of Thy kind providence. May the memory of Thy goodness follow all our days and encourage us to carry on in faith and in faithfulness.

Grant that our President, our Speaker, and all the Members of this legislative body may discern Thy divine will in some clear and unmistakable way and be used by Thee in mediating to all mankind the blessings of gladness and peace.

Hear us in the name of the Christ who is the light of the world. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H. R. 379. An act for the relief of Kuo Yu Cheng;

H. R. 436. An act for the relief of Roger Edgar Lapierre;

H. R. 553. An act for the relief of Arsenio Acacio Lewis;

H. R. 555. An act for the relief of Edna Rita Saffron Fidone;

H. R. 566. An act for the relief of Choctaw-hatchee Electric Cooperative, Inc.;

H. R. 649. An act for the relief of Antonio Belaustegui;

H. R. 710. An act for the relief of Fritz Hallquist;

H. R. 1015. An act for the relief of Fred Pittelli;

H. R. 1162. An act for the relief of Persis M. Nichols;

H. R. 1176. An act for the relief of Mrs. Elizabeth Kempton Bailey;

H. R. 1393. An act for the relief of Donna L. I. Carlisle;

H. R. 1493. An act for the relief of Anna Malama Mark;

H. R. 1502. An act for the relief of Herman Trahn;

H. R. 1888. An act to incorporate the AMVETS, American Veterans of World War II;

H. R. 2167. An act to authorize the inclusion within the Angostura unit of the Missouri Basin project of certain lands owned by the United States;

H. R. 2306. An act for the relief of Myrtle Ruth Osborne, Marion Walts, and Jessie A. Walts;

H. R. 2314. An act to amend section 12 of the Naval Aviation Cadet Act of 1942, as amended, and to amend section 2 of the act of June 16, 1936, as amended, so as to authorize lump-sum payments under the said acts to the survivors of deceased officers without administration of estates;

H. R. 2573. An act to authorize the Director of the United States Geological Survey to produce and sell copies of aerial or other photographs and mosaics, and photographic or photostatic reproductions of records, on a reimbursement of appropriations basis;

H. R. 3053. An act to authorize the Secretary of the Navy to convey to the Territory of Hawaii an easement for public highway and utility purposes in certain parcels of land in the district of Ewa, Territory of Hawaii;

H. R. 3056. An act to authorize the Secretary of the Navy to convey to the city of Macon, Ga., and Bibb County, Ga., an easement for public road and utility purposes in certain Government-owned lands situated in Bibb County, Ga., and for other purposes;

H. R. 3149. An act to amend the act approved December 28, 1945 (Public Law 271, 79th Cong.), entitled "An act to expedite the admission to the United States of alien spouses and alien minor children of citizen members of the United States armed forces";

H. R. 3170. An act for the relief of R. W. Wood;

H. R. 3247. An act to provide basic authority for the performance of certain functions and activities of the Coast and Geodetic Survey, and for other purposes;

H. R. 3252. An act to authorize the Secretary of the Navy to convey to the city of Long Beach, Calif., for street purposes an easement in certain lands within the Navy housing project at Long Beach, Calif.;

H. R. 3513. An act to transfer the Panama Railroad pension fund to the civil service retirement and disability fund;

H. R. 3539. An act to authorize the construction of a chapel at the Coast Guard Academy, and to authorize the acceptance of private contributions to assist in defraying the cost of construction thereof;

H. R. 3744. An act to authorize the construction of a railroad siding in the vicinity of Franklin Street NE., District of Columbia;

H. R. 3958. An act to extend temporarily the time for filing applications for patents and for taking action in the United States Patent Office with respect thereto;

H. R. 4011. An act to amend section 1602 of the Federal Unemployment Tax Act; and

H. Con. Res. 70. Concurrent resolution authorizing the Committee on Expenditures in the Executive Departments of the House of Representatives to have printed for its use additional copies of the hearings on the bill (H. R. 2319) "The National Security Act of 1947."

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1448. An act to amend section 7 of an act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes, approved July 1, 1902;

H. R. 3055. An act to permit the Secretary of the Navy and the Secretary of War to supply utilities and related services to welfare activities, and persons whose businesses or residences are in the immediate vicinity of naval or military activities and require utilities or related services not otherwise obtainable locally, and for other purposes;

H. R. 3598. An act granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Pacific coast and creating the Pacific Marine Fisheries Commission; and

H. R. 3864. An act to amend the District of Columbia Unemployment Compensation Act with respect to contribution rates after termination of military service.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 84. An act for the relief of Mrs. Clinton R. Sharp;

S. 99. An act for the relief of John T. Hollingsworth, Jr.;

S. 167. An act for the relief of Mrs. Yoneko Nakazawa;

S. 185. An act for the relief of Thomas Abadia;

S. 191. An act for the relief of Julian Uriarte;

S. 316. An act for the relief of Mary Sungduk Charr;

S. 339. An act for the relief of Lucy Jefferson Weil;

S. 418. An act to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes;

S. 457. An act for the relief of Anna Kong Mei;

S. 474. An act for the relief of Samuel E. Belk;

S. 703. An act to authorize the carrying of Civil War battle streamers with regimental colors;

S. 794. An act to authorize the sale of a small tract of land on the Cherokee Indian Reservation, N. C.;

S. 929. An act to amend section 2 of the act prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes, approved March 3, 1883 (22 Stat. 564);

S. 1132. An act to amend section 40 of the Shipping Act, 1916 (39 Stat. 728), as amended;

S. 1348. An act to provide for the addition of certain reverted Oregon & California Railroad grant lands to the Silver Creek recreational demonstration project, in the State of Oregon, and for other purposes;

S. 1487. An act to remove restrictions upon loans by Federal agencies to finance the construction of certain public works;

S. 1512. An act to improve accounting within the Federal Security Agency, to au-

thorize intra-agency transfers and consolidations of appropriations by the Federal Security Administrator, and for other purposes;

S. 1576. An act to amend section 3121 of the Internal Revenue Code;

S. 1579. An act for the relief of Damian Gandiaga;

S. J. Res. 70. Joint resolution authorizing the President to issue posthumously to the late Col. William Mitchell a commission as a major general, United States Army, and for other purposes;

S. J. Res. 84. Joint resolution to provide for the restoration and preservation of the Francis Scott Key mansion, to establish the Francis Scott Key National Memorial, and for other purposes;

S. J. Res. 94. Joint resolution to establish the Fort Sumter National Monument in the State of South Carolina;

S. J. Res. 130. Joint resolution relating to safety in bituminous-coal and lignite mines of the United States;

S. J. Res. 134. Joint resolution providing for the proper observance of the one hundred and sixtieth anniversary of the signing of the Constitution of the United States of America; and

S. J. Res. 148. Joint resolution to authorize the temporary continuation of regulation of consumer credit.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3756. An act making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FERGUSON, Mr. REED, Mr. WHERRY, Mr. SALTONSTALL, Mr. McKELLAR, Mr. OVERTON, and Mr. RUSSELL to be the conferees on the part of the Senate.

The message also announced that the President pro tempore has appointed Mr. LANGER a member of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of Justice.
3. Department of Labor.
4. Post Office Department.
5. Department of the Treasury.
6. Department of War.
7. Federal Security Agency.
8. Government Printing Office.
9. National Archives.
10. National Housing Agency.
11. Office of the Housing Expediter.
12. United States District Court (Northern District of California).

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3818. An act to amend the Federal Insurance Contributions Act with respect to rates of tax on employers and employees, and for other purposes.

The message also announced that the Senate insists upon its amendments to

the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MILLIKIN, Mr. TAFT, and Mr. GEORGE to be the conferees on the part of the Senate.

The message also announced that the President pro tempore has appointed Mr. LANGER and Mr. CHAVEZ members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Interior.
3. Department of Justice.
4. Department of the Navy.
5. Post Office Department.
6. Department of the Treasury.
7. Department of War.
8. Federal Security Agency.
9. Federal Works Agency.
10. National Archives.
11. Veterans' Administration.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3587. An act to establish a National Aviation Council for the purpose of unifying and clarifying national policies relating to aviation, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BREWSTER, Mr. HAWKES, and Mr. JOHNSON of Colorado to be the conferees on the part of the Senate.

The message also announced that the President pro tempore has appointed Mr. LANGER and Mr. CHAVEZ members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments:

1. Department of the Navy.
2. Department of War.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 526) entitled "An act to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. TAFT, Mr. AIKEN, Mr. SMITH, Mr. THOMAS of Oklahoma, and Mr. ELLENDER to be the conferees on the part of the Senate.

#### PALESTINE

Mr. TWYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. TWYMAN. Mr. Speaker, this morning 28 other Republican Members of Congress and I are presenting to the House of Representatives identical concurrent resolutions, in which we restate the historical policy of the United States regarding Palestine. Five Presidents of the United States, from President Wilson to and including President Truman, have expressed themselves with reference to the establishment of a national home for the Jewish people in Palestine. These identical resolutions announce that the United States is continuing its Palestine policy as established by the President and the Congress, and indicate a willingness to join in the carrying out of a solution of the Palestine problem along the lines of such policy.

All of the Members submitting these identical resolutions are Republicans, but it is our desire that Members from the other side of the aisle will join with us and make this a bipartisan policy. We shall welcome their cooperation and participation.

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States by Mr. Miller, one of his secretaries, informed the House that on July 17, 1947, the President approved and signed bills and a joint resolution of the House of the following titles:

H. R. 3993. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes;

H. R. 494. An act to reorganize the system of parole of prisoners convicted in the District of Columbia; and

H. J. Res. 240. Joint resolution making temporary appropriations for the fiscal year 1948.

#### AMERICAN POLICY TOWARD PALESTINE

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, I am also one of those Members who have presented one of these identical resolutions this morning. It seems to me that these resolutions merely implement the policy that our country has been committed to.

The United States for a long time has declared itself to be favorable to the doctrine that Palestine should be a national homeland for the Jewish people. We feel that we have got to do more than say it. We feel that we have got to insist that our word be carried out; and, as we state in this resolution: That it is the sense of the Congress that the United States announce its continued adherence to its Palestine policy as established by the President and the Congress and its willingness to join in the carrying out of the solution of the Palestine problem along the lines of this policy.

#### VETERANS' ADMINISTRATION PROSTHETIC APPLIANCE EXHIBITION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include



therein a statement prepared by the Veterans' Administration regarding a prosthetic appliance exhibition.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, this morning, together with many other persons, I went to see an exhibition that the Veterans' Administration is showing of artificial arms, legs, hearing devices, ears, plastic work on faces, and so forth. It is a very large exhibition.

The Veterans' Administration deserves great credit. Mr. Walter Bura, Director, Prosthetic Appliance Service, is at the head of it and he deserves great appreciation for collecting these prosthetic appliances and for urging manufacturers to make them.

I was very much struck by the fact that although the appliances are better than they were a year ago or 2 years ago, they are very far from perfect.

It is up to the Congress, in my opinion and in the opinion of thousands of others, that we should do more to see that the men get better appliances and more than just the hooks that they are giving the men and the plastic hands and gloves which look more like hands but are not adaptable to much use.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. MILLER of Nebraska. I saw the exhibit yesterday and I thought that it was one of the best exhibits that I have ever seen. I have viewed them in the past, and I feel they are making tremendous progress in the various mechanical appliances for the individual needing artificial limbs, eyes, ears, and even noses. Of course, you will never reach perfection because that is impossible. However, it does seem to me from experience of many years of looking at these exhibits and seeing them operate that the men in that type of work are making great progress.

Mrs. ROGERS of Massachusetts. The gentleman's opinion is extremely valuable, as the Members of the House know.

The statement referred to is as follows:

PROSTHETIC APPLIANCES SERVICE, VETERANS' ADMINISTRATION

JULY 16, 1947.

A prosthetic appliance is an artificial device used to replace a lost member of the human body or to supplement a member which has lost part of its ability to function normally. Artificial limbs, wigs, plastic eyes, hearing aids, eye glasses, orthopedic shoes and braces comprise only a partial list of such appliances.

The policy of the VA is to furnish disabled veterans the best available prosthetic devices to aid them in overcoming their handicaps. For psychological reasons the final selection of any appliance is left, as far as possible to the veteran.

To assure efficient administration of their policy the VA established a Prosthetic Appliances Service in January 1946. High lights of this program set up by the Prosthetic Appliances Service are:

The VA does not manufacture prosthetic devices, but purchases at no cost to veterans the best items available from private manufacturers. (Exceptions are one limb shop

in New York, the plastic eye clinics, and hospital brace shops.) This makes available to veterans the sales and service facilities of all manufacturers throughout the United States. Also prosthetic devices developed through Government research by the Committee on Artificial Limbs of the National Academy of Sciences, the Army, Navy, and similar groups are made available as soon as released by the developing agencies.

In July 1946, prosthetic service cards were authorized for all amputee veterans. These cards, to be carried by the veterans at all times, positively establish their identity and eligibility for the limb manufacturer's service. In case of a break-down of their appliances, they may go to the nearest limb shop and obtain immediate repairs or adjustments. Shops send invoices direct to the VA for payment. There, they are carefully studied by the Prosthetic Appliances Service to determine the frequency and cause of break-downs, with view to reducing the probability of recurrence through changes in design or materials. The service card offers the twofold advantage of providing on-the-spot repairs and reducing cost to the Government. Issuance of similar service cards for veterans using other types of prosthetic devices is under consideration.

Prosthetic units are being established in every regional office to attend to the special interests and problems of all veterans wearing artificial appliances.

A prosthetic testing and development laboratory is located in the VA regional office, 252 Seventh Avenue, New York City. This laboratory, which carries on testing and development work for the Committee on Artificial Limbs, private inventors, limb manufacturers and any Government agency concerned with the development of prosthetic appliances, is the first facility of its kind for such projects. Its operation assures continued improvement in this field.

A VA prosthetic restorations research laboratory has been established at the University of Maryland School of Medicine, Baltimore, Md., to meet the need for concentrated research and development in cosmetic replacements. The work of this laboratory is limited to research in synthetic materials and techniques for producing plastic eyes, ears, noses, and other facial restorations. The prostheses are produced and fitted in 12 clinics established in the larger centers of population of the Nation.

As a basis for sound planning and consulting activities it was found necessary to have available, for immediate reference, samples of all prosthetic devices manufactured in the United States. These have been assembled into the prosthetic appliances reference exhibit which opened officially on July 16, 1947. This exhibit, the only one of its kind in the world, now contains almost 1,000 items. Ninety-five percent of the items were contributed by the private manufacturers at no cost to the Government. Without the availability of such an exhibit no prosthetic specialist can make positive factual evaluations of more than a fraction of the devices on the market.

With the exception of experimental models, all of the devices shown are in production and available to disabled veterans under VA's free choice of appliances policy. All are available to physically handicapped nonveterans through private industry.

The collection enables VA prosthetic specialists to make critical analyses of the different features of the various aids and give guidance to veterans in selecting devices best suited to their needs.

The exhibit is also expected to aid in eliminating duplication of effort in research work by providing a centralized point at which inventors may learn what has already been developed in the field of aids for the physically handicapped. It is situated permanently in room 890-H of the VA central office, Vermont Avenue between H and I Streets NW., Wash-

ington, D. C., where it has been arranged into 18 sections as follows:

ITEMS DISPLAYED

Section No. 1: Equipment for the blind, including standard and portable typewriters, braille writer, writing slate, talking book, radio, braille watches, electric shaver, one-hand typewriter, sound scribe, wire recorder, canes of all kinds; orthopedic shoes, forms and photographs showing process of taking measurement and casts; IBM electric typewriter arranged for one-handed operation (for amputees, paraplegics, etc.).

Section No. 2: Knee-bearing legs; suction-socket legs; above-knee legs; below-knee legs.

Section No. 3: Below-knee legs.

Section No. 4: Below-knee legs.

Section No. 5: Above-knee legs, including Hanger-DeScutter.

Section No. 6: Various types of sockets on below-knee legs, including air sockets, three types of slip sockets, soft leather, cork insert, leather removable, solid leather, solid wood, leather lined, leather cushion, metal shin with wood socket; all types of crutches; crutch accessories, including arm pit pads, hand grips, crutch tips; rubbers equipped with cleats to prevent slipping on ice and snow.

Section No. 7: Above-knee legs; below-knee legs.

Section No. 8: Legs submitted by the Committee on Artificial Limbs, including hip disarticulation, Hanger-DeScutter, and standard below-knee and above-knee legs.

Section No. 9: Component mechanical parts manufactured by various parts suppliers, used in the building of artificial limbs; stump socks knitted by: The C. H. Bennington Mfg. Co., The Knit-Rite Co., Ohio Willow Wood Co., John J. McCann Co.; charts and graphs showing break-down of repair invoices; illustrations of the Veterans' Administration Prosthetic Testing and Development Laboratory.

Section No. 10: Artificial hands; cosmetic gloves; component parts, disassembled, for the Fitch dual control arm.

Section No. 11: Hooks, hand brushes, nail holders, and various devices used with artificial arms. (These artificial hands, hooks, and devices are interchangeable and can all be attached to standard wrist connections on artificial arms); arm controls, flexible steel cable with spring steel wire housing.

Section No. 12: Below-knee legs; above-knee legs, including one tilting table; Syme's and Chopart limbs; map showing prosthetic service field organization; the processing of willow wood for use in the manufacture of artificial limbs, from a cross-section of a 90-year-old tree to the finished shin blocks, ankle blocks, knee blocks, sockets, and feet.

Section No. 13: Arms; illustrations describing the cineplastic operation and its use with an artificial arm.

Section No. 14: Above-knee legs; various steps in the manufacture of metal limbs; special ankle joints; waist belts; knee joints; various component parts of artificial limbs from the Committee on Artificial Limbs (sec. 14 behind sec. 4).

Section No. 15: Braces and belts.

Section No. 16: Hearing aids, hearing-aid batteries, and battery charger.

Section No. 17: Sectional views and explanation of component parts used in the manufacture of artificial limbs.

Section No. 18: Plastic artificial eyes; facial restorations; ear molds for hearing aids; collapsible wheel chair.

EXTENSION OF REMARKS

Mr. ELSAESSER asked and was given permission to extend his remarks in the RECORD and include a statement by Henry C. Link entitled "How to Sell America to Americans."

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include two short editorials.

#### FLOOD-CONTROL WORK

Mr. MUHLENBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MUHLENBERG. Mr. Speaker, in view of the President's message yesterday about the necessity for an increase in flood-control activities, I want to call to your attention and to the attention of the general public the fact that the reason more flood-control legislation has not been brought before the House is that in the President's budget message he advised us in effect that he had directed the Corps of Engineers, our consulting engineers, not to ask for any appropriations for or consideration of new projects whatsoever, for that item was made a mere token \$100. I believe thoroughly as do you that flood control is necessary. I simply want to offer my felicitations on the change of opinion which has been registered by the President's message yesterday. We are all for a continuous program for flood control, including expansion where necessary, as is now proposed, but in view of the fact that the Corps of Engineers was instructed not to ask for a program including new work you can see that the new statement of the President is a direct reversal of his opinion in January and is now following the Republican opinion on the necessity of a continuing program so ably expressed during the recent hearings by the chairman of the Subcommittee on Appropriations on Civil Works, the gentleman from Michigan [Mr. ENGEL].

The SPEAKER. The time of the gentleman from Pennsylvania [Mr. MUHLENBERG] has expired.

#### FOREIGN RELIEF AND REHABILITATION

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ELLIS. Mr. Speaker, on yesterday I made a statement drawing attention to the enormous sums of money obligated or requested by this administration for foreign relief and rehabilitation and the maladministration of these funds by our agents, a fact which is now recognized by most everyone.

The distinguished ex-Speaker of the House, the gentleman from Texas [Mr. RAYBURN], criticized my remarks principally on the basis that, considering the conditions existing in the world at this time, these matters should not be discussed.

I am pleased that the gentleman directed attention to my statement because it is my conviction that the people of this country should be enlightened as to the conditions here and abroad, and I sincerely believe that there is never a time in peacetime when incompetence and maladministration should not be ex-

posed and the persons responsible be brought to the bar of public opinion. It is not too late to endeavor to improve a bad situation.

The world now knows that we blundered at Teheran; we blundered at Yalta; we blundered at San Francisco on the veto power agreement; we blundered at Potsdam on the reparation and the acceptance of the Morgenthau plan as stated yesterday by the gentleman from Mississippi. All this has made its contribution to the heartbreaking situation now existing in Europe and Asia.

Every Member of this House recognizes the gravity of the situation, but if the same hands and the same minds are to continue in the same capacity, there is no basis for any hope that the problem will be satisfactorily solved.

I congratulate the Speaker on his plan to appoint a special investigating committee of this House to ascertain the facts pertaining to this very question. It is recognized that it is the only way that we can secure the facts, and in my opinion the action should have been taken years ago.

#### FOREIGN RELIEF AND REHABILITATION

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, in my remarks yesterday I did not say to the gentleman from West Virginia [Mr. ELLIS], or anybody else, that I thought they should remain quiet. This is exactly what I said:

Knowing the condition of this world, inflammable as it seems to me it is now, I do think that people in position of high authority or any authority should be very careful about what they say.

That is what I said. I did not say that anyone should not make a talk.

Then further I did say this, and I repeat it:

And especially for the gentleman from West Virginia to advertise for the world that our State Department, the people who are looking after our foreign affairs, are indulging in underhand propaganda is just too bad.

That is what I said and what I repeat every day.

The SPEAKER. The time of the gentleman from Texas has expired.

#### THE STERLING AREA BLOC POOL

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

There was no objection.

Mr. CELLER. Mr. Speaker, under the British loan agreement, Great Britain on the 15th of this month, 2 days ago, was supposed to dissolve the sterling area bloc pool. Some efforts have been made in that direction, but the pool in general still exists unabated as to many countries. There is thus default on the part of Great Britain.

I wonder whether British leaders remember an event 65 years ago when the Khedive of Egypt defaulted on his obligations to Great Britain, and Egypt was occupied by British troops. Of course, we would not try to invoke such sanctions, but it is well to remind Great Britain of her obligations under that loan agreement, and I hope that those in authority on this side of the ocean will remind those on the other side most forcibly that there is a solemn obligation as to the sterling area bloc pool that Great Britain must live up to. Also be it remembered Great Britain defaulted upon her debt to us after the last war.

The SPEAKER. The time of the gentleman from New York [Mr. CELLER] has expired.

#### FLOOD CONTROL

Mr. POAGE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, yesterday, the President sent a message to the House suggesting conservation and flood control over a vast area of this Nation. With that I am in full accord. I am convinced, however, that it was a great mistake to overlook the equally serious flood problems of other sections. I have asked this brief moment to speak rather than extend my remarks, that I may call the attention of the Members of the House to the fact that vast losses have been sustained in this country outside of the Mississippi-Missouri River Valleys.

I am in favor of taking care of those valleys but I am also in favor of taking care of all the rest of the valleys of the United States. We are all a part of this Nation. Those who happen to live in the great valley of the Father of Waters do not, I am sure, ask that they be given a monopoly on conservation and flood control.

It happens that there is a tributary of the Brazos River in Texas, misnamed the Little River, which at flood stage has carried more water than either the Mississippi or the Missouri above their junction. The Mississippi has never carried more than 500,000 cubic second-feet above the junction, and the Missouri has never reached 600,000 second-feet, but the Little River has carried 647,000 cubic second-feet past Cameron, Tex.

This is just one tributary of the Brazos River which is itself a stream of more than a thousand miles in length and which drains an area approximately the same size and supporting the same population as the drainage basin of the Tennessee. Yet this whole great drainage basin has only one Federal flood-control project underway—the Whitney Dam which was only commenced a few months ago. The Miller Springs Dam near Belton, Tex., was authorized more than a year ago. It would give substantial relief from the flood conditions I have described on the Little River, but so far no funds have been appropriated for its construction.

Due to the fact that the bed of the Little River is very small, its floods inevitably spread out over a wide expanse.



Due to the fact that the rainfall in the Southwest is likely to come as cloudbursts, our streams are subject to devastating flash floods which result in an extremely high loss of life as well as of property. It must never be forgotten that it is the maximum height, not the yearly average flow that counts when we are considering floods.

Because of the vast expanse of the State of Texas, I am sure that both President Truman and many Members of this House, have thought that the Government was dealing adequately with our flood problems when provision was made for as many structures as are provided in the average smaller State. I have pointed out that the Brazos Valley alone is as large as the Tennessee Valley. The Brazos does not have as large yearly run-off as the Tennessee, but the greatest known flood of the Tennessee carried only 460,000 second feet or considerably less than one tributary of the Brazos. Surely neither the President nor the Congress would intentionally discriminate against the people of Texas simply because our State is as large as several ordinary States, but sometimes we feel that we are the victims of unintentional discrimination.

Nor can the failure of the Federal Government to extend the same assistance to the problem of flood control in Texas as elsewhere in the Union be charged to any failure of the local people to recognize the problem and to do their best to solve it. Four years before the TVA was established the legislature of Texas created the Brazos River Conservation and Reclamation District—the first great stream control authority in the world to embrace an entire major river system from its source to its mouth. The State has contributed more than \$6,000,000 of State money to this work, but the job is too great to be handled by any one State.

We have taken the lead in soil conservation practices. Every acre of the district I represent is a soil conservation district. We have in the Little River valley the largest soil conservation demonstration project in the United States. Our people are alive to the fact that flood control must start where the water falls. We yield to no section in our efforts and our achievements along that line.

Neither are we justified in by-passing the Brazos-Little River flood problem on the grounds that more recent floods have occurred elsewhere. The very fact that it has been longer since our area has suffered from such floods makes it the more likely the next destructive overflows will probably occur in our section.

Mr. Speaker, we of central Texas have buried our dead; we have rebuilt our homes; we have replaced our roads and bridges; we have done what we could to make up for the top soil that we cannot replace, but we have not forgotten our suffering. We know that the floods will come again. We appeal to our Government to include our streams and our farms in any program of soil conservation and flood control. We want no special treatment, but we do want fair and equal treatment.

#### FLOOD CONTROL

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, the President, in his message yesterday, advocated an additional \$250,000,000 for flood-control and irrigation projects. This included some new dams and projects. This is a reversal of the President's viewpoint when, at the beginning of this term of Congress, he instructed the Army engineers not to indicate any new flood-control projects.

It is to be remembered that in the past 7 years Congress has designated some 700 flood-control projects. In my opinion some of these were pork-barrel projects and not worthy of consideration at this time.

The Congress, yesterday, passed a resolution which gives authority to the Public Works Committee to make a study and reexamine all public works including flood-control projects. This revaluation should eliminate some projects and indicate those which are most urgent.

I agree with the President that the Mississippi-Missouri Valley, which makes up one-sixth of the country's area, is in need of more energetic work in the control of floods. It is in this area in which the loss of life, property, and great destruction has taken place.

It does seem to me that instead of pouring billions of dollars into loans, gifts, and other channels to foreign nations, that we ought to give more attention to the problems at home. It is my opinion that the moneys we are pouring down a dozen or so rat holes in Europe in an effort to help other countries will not even return to this country good will. Many of these countries will refer to "Uncle Shylock" and demand more. They are already doing so.

I would urge that this Congress recognize the need of energetic work for flood control. It seems to me that in the past we have started too many dams and flood-control activities which take too long to finish. The work ought to be speeded up. The dams should be completed and then from these dams we could develop irrigation projects and electric energy. I agree we should adopt the policy that when a project is once started it should be pushed to completion at the earliest possible date.

I expect to support an amendment in the House tomorrow, if it is presented, to the deficiency bill which will make more money available for flood-control work. I consider it essential in rebuilding our resources and bringing additional assets and revenues to this country. New lands brought under irrigation, which means flood control and soil conservation, adds additional value to this country.

Again I would urge the Congress to pay more attention and be more liberal with the folks at home and be less anxious to dissipate our resources all over the world.

The SPEAKER. The time of the gentleman from Nebraska has expired.

#### FLOOD CONTROL

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, with reference to the remarks of the gentleman from Texas, the amount of water that a stream carries does not determine whether or not it carries flood hazard. It is not whether it flows at the rate of 500,000 cubic-second feet or 600,000; the controlling factor is the size of the pipe or the size of the channel that has to carry that much water. The reason we have these disastrous floods in the Missouri and Mississippi Basins and their tributaries is because of the large drainage area they have in proportion to the channel. It is that too great an amount of water comes for the channel. In some instances, so-called channel improvement has reduced channel capacity.

What the gentleman from Nebraska said is eminently correct, the Congress should adjust itself to the meeting of these flood problems and do it now. It is entirely in order, in my judgment, to put in contrast what we do here to repair the ravages of these floods and what it is proposed to do to repair the ravages of war in foreign countries. The House still has time to do something about this matter at this session.

The SPEAKER. The time of the gentleman from South Dakota has expired.

#### NORTH CAROLINA'S NEW HEALTH PROGRAM

Mr. DEANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DEANE. Mr. Speaker, our respective States frequently do not receive the best in publicity. However, today as a North Carolinian, I am happy to make announcement to the House that the far-reaching health program sponsored and promulgated by the North Carolina Medical Care Commission was officially approved by the Surgeon General.

The North Carolina program is one of the most outstanding health programs conceived by any State. It is pleasing to those of us privileged to represent districts from this State to know that North Carolina is one of the first States to have its plan approved by the Office of the Surgeon General.

Two other States join with North Carolina in being the first to take advantage of the Hill-Burton Act approved in the Seventy-ninth Congress.

Mr. Speaker, North Carolina is accepting the responsibility of carrying to the people of that State a hospital-construction and health program that will in my opinion challenge the entire Nation. We are committed to a plan to assure that no man, woman, or child anywhere in

North Carolina shall lack hospital service or medical care.

#### INJUDICIOUS STATEMENTS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JARMAN. Mr. Speaker, while perusing the CONGRESSIONAL RECORD this morning my eyes fell upon the remarks indulged in yesterday by the gentleman from Texas [Mr. RAYBURN], a former Speaker of this House and an excellent one, as you all know. I was impressed that few remarks have been made in the House recently which I regard as equal to those of the gentleman from Texas in appropriateness.

I then referred to the remarks of the gentleman from West Virginia [Mr. ELLIS], of which Speaker RAYBURN spoke, and after having read them, I was more thoroughly impressed with the statement of the gentleman from Texas than I was when I first read it.

Mr. Speaker, it occurs to me that we certainly should, as the gentleman from Texas so well said, be very careful indeed in a critical period, such as this, about what we say. We should bear in mind several facts. I doubt if many of us, with the opportunity for information most of us have as compared with that which the officials of the State Department have, are as competent to know the in's and out's of the whole picture as the gentlemen of the State Department are. The world picture is a large and important one, which is being very carefully studied at the State Department by many men of 10, 20, 30, and 40 years' experience in such work which, whether we realize it or not, is quite technical.

I would particularly call your attention to the fact that the great majority of these officials of our Government are not partisan Democrats or Republicans. They are primarily Americans who are devoting their lives to the service of our country. Many of them entered this service during Republican administrations, and I doubt not that as many of them are of the Republican persuasion as of the Democratic. While it is true that each of us was elected by the constituents of his congressional district, and they were appointed through the Civil Service or otherwise, I am not sure that we have a right to judge ourselves as enjoying patriotism superior to theirs; nor, patriotic though we all are, I do not believe we Members of Congress have any monopoly on patriotism, and I regard it as our duty to give these other officials of our Government, who are trusted by others, credit for patriotism and conscientious service.

Oh, yes; it is easy for some of us who, I am afraid, are none too familiar with the details of the whole picture to lambast the State Department and its personnel, thereby perhaps appealing to the isolationists and other elements of our constituency. I am strongly of the opinion, however, that before attempting to profit politically by such criticism,

particularly when it is ill-advised and indulged in without great knowledge of the facts, it behooves us to realize the seriousness of so doing. I do not believe there is a Member of this body who would knowingly harm the country we all love or run the risk of contributing toward the death of his own son and hundreds of thousands of other fine American boys in battle for personal advertisement or political gain. However I repeat that we should be careful what we say during such times for whatever purpose. I am impressed that we should consider that the Department which these criticisms and attacks attempt to destroy is the one which deals with foreign governments for us, the one which is contributing far more toward keeping us out of war, if it proves to be our good fortune to keep out of war, for which situation we all so ardently pray, than any other. I hear no such attacks on the War Department or the Navy Department, nor is any considerable proportion of the Congress niggardly with these Departments in the matter of appropriations, and yet while it is true that they would largely fight a war should it become our great misfortune to have to participate in another one, it is not these Departments but the State Department which will prevent one.

I answer your probable reaction to the effect that preparedness prevents war, by expressing the fear that, aside from our occupation forces, we are scarcely adequately prepared to prevent war. It is true that we have a Navy in stand-by condition and sufficiently trained discharged soldiers and recently used industrial know-how to become adequately prepared for war on comparatively short notice, which fact the State Department may be able to use as a considerable deterrent against war. However, it is that Department, which so many seem determined to discredit and destroy, and not our present Army and Navy for which we gladly vote huge appropriations, which will really prevent war. If it fails to do so who can be sure that we can profit by even short notice?

I came from my committee meeting a few minutes ago without any intention of making a statement, but to insert in the RECORD an editorial from yesterday's Evening Star, having been influenced to do so by the remarks to which I have referred. I quote that very appropriate editorial:

#### "NO BLINKING THE FACT"

Although he used circumspect language, Secretary Marshall did not equivocate in his solemn address to the conference of governors at Salt Lake City. Speaking at a time when 16 free nations of Europe are meeting in Paris to act upon his proposal for their common recovery, he made clear that the United States must support them to the full or risk "seeing them move in directions which are consistent neither with their own traditions nor with those of this country."

Translated into less diplomatic terms—with specific mention of the country Secretary Marshall was careful not to name—this means simply that if we do not help the Paris conferees to help themselves they will go into an economic and political decline likely to wreck their free civilization and expose the whole of Europe to

the dominance of Communist Russia. Add to this the danger of a similar development in Asia, and it is easy to understand why the Secretary, in an obviously somber mood, has urged the Governors to consider most carefully what such a situation could mean for the future prosperity and security of our own land.

Certainly, in the Secretary's words, "There is no blinking the fact that this country now stands at a turning point in its relations to its traditional friends among the nations of the Old World." To get back on their feet, to maintain themselves as independent lands, to escape being engulfed by the Kremlin's expanding totalitarianism, they must have all the moral and economic support we can give them. This will impose burdens on us. It is likely to call for a kind of lend-lease program costing us billions of dollars a year for 4 years or more. It may even require the return of some types of rationing among us. Yet, as Secretary Marshall has warned, the United States will either follow such a course or face "a radical alteration of its own position" in the international balance of political, economic and military power—an alteration that could leave us globally isolated, with the Soviet Union eventually so entrenched throughout all of Europe and Asia as to have a profound effect on our own free way of life, our prosperity and our safety.

This is the most challenging fact before us in the age of the atom, and there is indeed no blinking it. The day is coming, moreover, when Congress will have to act upon it one way or the other—when the decisions will have to be made to back European recovery either feebly or strongly with our money and other types of aid. As Secretary Marshall has said, we have an "incalculable stake" in the situation. At the moment—since the current Paris Conference marks the first direct approach to the problem—the American people may not fully understand all that is involved, but nothing could be more important than that they come to understand it as soon as possible.

The Governors who have just heard the Marshall address can play a vital role in this respect. By building up a clear understanding at the State level, they will be promoting the same kind of understanding at the national level. Given that, when the time comes for Congress to act, the action will be affirmative and American aid will be forthcoming in sufficient quantity to preserve western civilization. In any event, there is no blinking the fact that a do-nothing course would be perilous folly for America.

#### EXTENSION OF REMARKS

Mr. STIGLER asked and was given permission to extend his remarks in the RECORD and include an editorial on soil erosion.

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in today's New York Times.

Mr. ENGLE of California asked and was given permission to extend his remarks in the RECORD in reference to the former mandated islands held by the Japanese.

Mr. MASON asked and was given permission to extend his remarks in the RECORD on the subject Pertinent Observations Concerning Communism.

#### COMMUNISM IN AMERICA

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.



The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, the press carries a story that the distinguished gentleman from Illinois [Mr. DIRKSEN] has announced that before the House adjourns we will authorize funds for the documentation and publication of Communism in America. I am in full accord with this proposal.

The gentleman from Illinois [Mr. DIRKSEN] is quoted in this article as stating that every point should be supported by proof so as to leave not the slightest doubt as to how diligently the Communists are working to impose their ideology on the American people. With this I also agree, but I would like to call to the attention of the House of the need for a clear and understandable definition of what communism really is before we proceed to publish such a House document.

On February 12, 1947 I introduced House Resolution 99 to define communism. It was referred to the House Un-American Activities Committee. No action has been taken on this resolution to date. It seems to me that this is one of the neglected duties of that committee.

If we are going to approve a House document on communism in America, we should most certainly define communism so that the public will be well aware of what we are talking about. There are too many doubtful opinions of what communism is. A clear and easily understood definition of it would also be of great help to the courts where many cases involving communism have been held in doubt because of the lack of a proper definition.

I submit herewith a copy of my House Resolution 99:

#### House Resolution 99

Whereas communism as a political policy, or a way of life, is inimical to the people of the United States; and

Whereas communism advocates deceit, conspiracy, confusion, subversion, revolution, and the subordination of man to the state; and, because of its practice of deceit and confusion its real purposes and intentions are clouded and misunderstood to the extent that many persons in the United States have been influenced to believe in and sympathize with communism; and

Whereas there is a pressing need for a clear and easily understandable definition of communism in order to protect the people of the United States from its insidious influence: Now, therefore, be it

*Resolved*, That communism be defined and declared to be not a political policy, but is an international conspiracy and an anti-Christian ideology which advocates and practices deceit, confusion, subversion, revolution, and the subordination of man to the state, and which has for its purpose and intention the overthrow of any democratic form of government by force and violence, if necessary; and be it further

*Resolved*, That any person, either citizen or alien, adhering to or expounding the purposes and intentions of communism, should be exposed and revealed as an enemy of the United States and dealt with accordingly.

#### AMENDING THE FEDERAL INSURANCE CONTRIBUTIONS ACT

Mr. KNU1-SON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3818) to

amend the Federal Insurance Contributions Act with respect to rates of tax on employers and employees, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none, and appoints the following conferees: MESSRS. REED of New York, KEAN, MASON, DINGELL, and MILLS.

#### SUBVERSIVE ACTION IN AMERICA

Mr. OWENS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Speaker, it was not my intention to say anything this morning, but after hearing the gentleman from California talk about the publication of a document called Communism in Action in America, I think it would be well for us to consider the publication of a document entitled "Subversive Action in America." In that way we are not going to have another document printed about a Fascist Action in America or other types of action. We will cover them all in one document, because, after all, whether it is communism or fascism or any other ism, what I am worried about is whether it is subversive to the interest of the United States, and that is the type of document that in my opinion should be published.

#### GOVERNMENT CORPORATIONS AND INDEPENDENT EXECUTIVE AGENCIES APPROPRIATION BILL, 1948

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H. R. 3756, an act making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and appoints the following conferees: MESSRS. PLOESER, JENSEN, SCHWABE of Oklahoma, COUDERT, MAHON, GORE, and WHITTEN.

#### AMENDMENT TO EMPLOYERS' LIABILITY ACT

Mr. MICHENER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 1639) to amend the Employers' Liability Act so as to limit venue in actions brought in United States district courts or in State courts under such act.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1639, with Mr. CURTIS in the chair.

The Clerk read the title of the bill.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. GOSSETT].

Mr. GOSSETT. Mr. Chairman, I rise in support of this bill which I think to be highly desirable. This proposed legislation, as you know, is intended to eliminate ambulance chasing and racketeering primarily in the matter of employers' liability suits under the Federal Employers' Liability Act.

If you read the hearings it is perfectly apparent that a multi-million-dollar racket has grown up in this type of litigation. I notice on page 31, for example, that 21 suits from Texas are pending in Illinois; two suits from Texas in Minnesota; two suits from Texas in New York; three suits from Texas in Missouri, and three suits from Texas in California. It does not indicate there the number of claims as distinguished from suits that have been imported out of Texas into these various States.

To be opposed to this bill it seems to me that one would have to presume that a litigant, a plaintiff, an injured employee could not get justice in his home State or in the place of his residence. I was very much impressed by the fine talk that my distinguished colleague, the gentleman from Texas [Mr. COMBS] made yesterday on this subject in which he said that it was his conviction that there were honorable judges, honest lawyers, and fair juries in every bailiwick in this great Republic of ours. I concur in that opinion. As a matter of fact, if I thought this bill deprived any employees of just rights, if it crippled their opportunities to get adequate recoveries, I would be opposed to it. It seems to me it is a protection for the injured employee against racketeering lawyers. It seems to me he ought to be able to get a judgment and recovery where he lives, or where he is injured, or in his home State quicker and at least equal to that which he could get in any other State. He would in most cases surely be more adequately and fairly represented at home than abroad.

As to these ambulance-chasing lawyers, one firm in Chicago has something like 600 cases. They send their runners out into the States. They go to this fellow who has been injured on the railroad and say, "This is a highly technical procedure. We are experts. Here is a list of the vast number of cases we have handled. We have our doctors, and this, that, and the other, and we are set up to handle your business." They sell that fellow on what they can do for him. The firm in Chicago that is representing John Doe down in Texas are not particularly interested in John Doe. If they find it to their convenience to settle his case at less than he is entitled to, they are going to so settle it.

There is nothing complicated about a Federal employer's liability suit. Most of you who are lawyers know that under the Federal Employer's Liability Act the three stock defenses of the ordinary tort action are waived; that is, fellow servant, assumed risk, and contributory negligence are not defenses in such cases. About all the injured employee has to do, and I think the Employer's Liability Act is a good law, is to prove he was injured

and that the railroad did it. It is a much simpler form of action than some of the common-law actions and other forms of action to which the ordinary layman must resort. So there is no sound reason, to my way of thinking, why this fellow ought to have his case brought in Chicago or out in California or up in New York, when his injuries occur in States far removed from these forums.

Mr. RAINS. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield to the gentleman from Alabama.

Mr. RAINS. I note that it places the venue or jurisdiction either at the place where the injury occurred or at the residence or domicile of the plaintiff. In the event the railroad has no place of business in the domicile of the plaintiff, would the action still lie there?

Mr. GOSSETT. No; he would have to get service on the defendant in the place where the plaintiff resides or where the injury occurred. If he could not get service on it there, then he could get it anywhere the defendant has an office or in which it is doing business. This bill just sets up a priority of venue, so to speak.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield to the gentleman from New York.

Mr. CELLER. In the gentleman's own State of Texas a suit against a railroad may be brought in any county through which the railroad runs. This bill changes the State statute in that regard. Is the gentleman willing to have that done?

Mr. GOSSETT. I think it is to the interest of the employee. I do not think it imposes any hardship on him. Our primary purpose, however, is to protect him from the out-of-State solicitors.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MICHENER. Mr. Chairman, I yield the gentleman five additional minutes, from the time allotted to the gentleman from Tennessee [Mr. JENNINGS].

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield to the gentleman from Illinois.

Mr. OWENS. Insofar as those gentlemen in Chicago are concerned, they are being taken care of very well at this time. In fact, before I came to Congress an action to disbar was started on its way. Does the gentleman feel that because of a few men of that type all the railroad men throughout the United States should be inconvenienced?

Mr. GOSSETT. I think it inconveniences the railroad man if he lives in Texas to have his suit filed in Chicago. I can see no inconvenience to the injured employee if he has a right to sue where he lives or where the injury occurred, and if he cannot get service where he lives or where the injury occurred, then any place where he can get service.

There is another provision in this bill that we have been overlooking, of which I think the railroad man would approve. It is in the first part of the bill:

No case arising under this chapter and brought in any State court of competent jurisdiction shall be removed to any court of the United States.

That certainly is for the employee's benefit. Suppose that John Doe back in the county seat of one of my home counties files suit in a State court. The railroad cannot then come in and remove his case to a Federal court on grounds of diversity of citizenship or on any other grounds. The railroads would doubtless object to this provision. We are trying to write a bill that would be fair to all parties.

Mr. OWENS. There are very desirable provisions in the bill, but the plaintiff in interest is often the relative or the son, for example, of the deceased person. He may be living in a different locality from that in which the deceased was domiciled at the time he died. There is no reason why he should have to go down to that place to start an action. He may be the relative or the father or the son of the deceased. I think that is a very poor provision in the bill.

Mr. GOSSETT. I think he will come nearer getting an early and just settlement of his case where the witnesses reside or where the injury occurred than he would a thousand miles away in some foreign bailiwick. The plaintiff, if he might be the son of the deceased, can sue in his home town or county.

Mr. OWENS. No; not according to this bill. It must be where the person injured resided.

Mr. GOSSETT. That is, where the plaintiff resides.

Mr. OWENS. No; it is where the injured person resided and not where the plaintiff resides.

Mr. GOSSETT. I will have to study that a little further. I think I am right, although you may be right.

Mr. OWENS. I will read it to you. It says "where the person suffering death or injury resided at the time" and not the plaintiff in interest.

Mr. GOSSETT. Well, that is perhaps true.

I yield to my friend the gentleman from Minnesota, into which State many of these suits have been imported, incidentally.

Mr. DEVITT. I thank the gentleman. I call the attention of the gentleman to the statute of the State of Texas—the gentleman's home State. The Penal Code, section 2170 provides that a lawsuit brought in Texas can be moved around for the convenience of witnesses or to get away from the prejudice of a judge or jury. May I advise the gentleman with respect to that?

Mr. GOSSETT. I think every State has such a law, do they not?

Mr. DEVITT. That is right. Every State does have such a law. But may I advise the gentleman that if this bill passes, the citizens of Texas, and especially railroad employees, are going to be denied that right in Texas. Does the gentleman want to deny that right to the railroad people in Texas?

Mr. GOSSETT. No; they will not be denied that right.

Mr. DEVITT. Yes; they would.

Mr. GOSSETT. No, no. Any time you can come in and show that you cannot get a fair trial in a local jurisdiction, then you can have the venue changed.

Mr. DEVITT. No; I might advise the gentleman that is not true under this bill.

I believe the author of the bill will tell you that is the situation. I might further refer you to the Supreme Court decisions.

Mr. GOSSETT. Furthermore, you are reading from the Penal Code.

Mr. DEVITT. Yes; I am reading from the Penal Code.

Mr. GOSSETT. I call the gentleman's attention to the fact that criminal jurisprudence is vastly different from civil jurisprudence. That is for the purpose of taking care of cases where the local populace have become inflamed or perhaps there is some racial question involved and the defendant cannot get a fair trial. Does the gentleman think in an ordinary civil action that there is any bailiwick in this country in which either the plaintiff or the defendant cannot be fairly heard or will not get justice?

Mr. DEVITT. May I first tell the gentleman that this statute applies to civil suits? May I read it to you? It is as follows:

A change of venue may be granted in civil cases upon application of either of the parties, supported by their own affidavit and the affidavit of at least three creditable witnesses that there exists in the county where the suit is pending so great a prejudice against him that he cannot obtain a fair and impartial trial.

No. 2. There is a combination against him instigated by influential persons.

No. 3. For other sufficient causes to be determined by the court.

Mr. GOSSETT. I thank the gentleman, and repeat that this proposed legislation will in nowise abrogate the provisions of the law the gentleman has quoted.

Mr. DEVITT. Let us ask the author of the bill.

Mr. MICHENER. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. MACKINNON].

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. MACKINNON. I yield.

Mr. BREHM. Does not the gentleman feel as I do that this bill should be re-committed and let the Committee on the Judiciary fight it out instead of coming in here and fighting it out in our presence?

Mr. MACKINNON. I feel that the bill should be re-committed but I do not think the issue to be decided in this bill should be decided by the lawyers. I think this issue ought to be decided by the Committee on Interstate and Foreign Commerce where the legislation originated. In my opinion, it is not proper for lawyers to decide this dispute over which lawyers shall have the advantage in obtaining this type of litigation.

Much has been said about racketeering. The so-called racketeering that exists with respect to personal-injury cases arising in railroad cases exists on two sides. It exists by the overzealous claim agent and by the lawyer who is just as zealous to protect his particular cause of action. If there is any claim that the railroad recognizes and pays a fair amount you do not get to court. The only cases that get to court are those that are brought about by the unwillingness of the wrongdoer, the railroad in this instance, to pay a fair amount of damages. You know and I know how



claim agents work. They are faster afoot than the ambulance chasers. They go out with the wrecking crew. They get on the ground first and they settle actions for amounts far below what is just. They make misrepresentations. They induce injured persons to settle claims before they know what their injuries are. It is because of activity of that kind that lawyers have been more or less forced, in this class of cases all over the country, against all types of defendants, to move just about as fast, if they specialize in personal-injury cases.

This bill is going to present for the first time in the history of the United States the novel doctrine that a corporation cannot be sued at its principal place of business. There is no State law in the United States that denies a corporation the right to be sued at its principal place of business. In my opinion, it is unthinkable to say that you cannot sue a corporation where it resides.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MacKINNON. I yield.

Mr. CELLER. This bill in that regard, since you cannot sue a corporation where it resides, overrides practically every State venue statute in this country.

Mr. MacKINNON. I will say, from some 15 years' legal experience working with the corporation statutes of every State in this Union and the nine Canadian provinces, that this would override the venue statutes of all the 48 States.

Mr. DEVITT. Mr. Chairman, will the gentleman yield?

Mr. MacKINNON. I yield.

Mr. DEVITT. Is it not true, as a general principle of law, that you can sue a corporation wherever you can find it?

Mr. MacKINNON. Yes; and I think that is a wise provision of law, because these corporations are very strong. I submit that litigants against corporations need all the protection that the law can afford in order to get justice.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. MacKINNON. I yield.

Mr. OWENS. Do you know also that it is a fact that it has been difficult for the bar associations of the various States to deal with this question because they have as much or more trouble with the claim agents than they have with the lawyers over whom they have jurisdiction?

Mr. MacKINNON. The gentleman is correct. It is the competition afforded by the claim agents who set the pace that requires personal-injury lawyers to be as aggressive as they are in the protection of their clients' rights.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. MacKINNON] has expired.

The CHAIRMAN. The Chair may state that the gentleman from Michigan has 20 minutes remaining and the gentleman from New York 11.

Mr. MICHENER. Mr. Chairman, we have but one more speaker. Will the gentleman from New York use his time?

Mr. CRAVENS. We had intended to yield time at this time to the gentleman

from Alabama [Mr. HOBBS], but he is unavoidably detained in a committee hearing.

Mr. MICHENER. Because the gentleman from Alabama is detained in a committee hearing, I will change the usual procedure and I now yield the remainder of my time to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, let us get a clear picture of this Federal Employers' Liability Act and this proposal to limit venue under it.

This act puts the employees of interstate railroads in a class by themselves. They and the administrator of one's estate in a death case are the only industrial employees in the United States who can bring a suit at law, whether for personal injury or for death, and not be confronted with the common-law defenses of assumption of risk, contributory negligence, and the fellow-servant doctrine. It is a good law. I favor its continuance.

This bill that we are offering governing venue does not take from the injured employee or his dependents a single right that is given to him or to them under this act. It simply gives an injured employee that high privilege of bringing his action where he lived at the time of the injury or in the county or district where the accident happened.

So sacred is the right of an American citizen to be tried before his neighbors that the Constitution of this country provides that a man charged with crime which might affect his life or liberty can be tried only before a jury in the district where the offense was committed, and ordinarily that is where he lives.

As was stated yesterday, the act at first had no venue provision. Suits under it, therefore, had to be brought under the Federal Venue Act, and that, in many instances, required the plaintiff under this act to go to the home of the defendant, many times hundreds or thousands of miles from where he lived. That was an inconvenience and an injustice to the plaintiff. To remedy that the act was amended so as to give the plaintiff the right to bring his suit in the county or district where he resided at the time of the accident, or where the accident occurred, and if he could not get service in those places, then wherever the defendant had an agent. Under that act, a racket grew up, not in 1942, as has been stated, but that racket was in existence prior to the First World War. That is why the Director General of Railroads, Mr. Davis, promulgated a rule requiring all suits brought against him as manager and operator of the interstate railroads of the country to be brought in the county or district of the residence of the plaintiff, because the practice that had grown up created an intolerable burden upon interstate commerce in time of war.

What is this racket, and how great is it, and how can we remedy it? My good friend from Minnesota yesterday said that you could not legislate morals. You can, at least, pass a law that will make it as hard as possible for a man to do wrong and as easy as possible for him to do right. He says that the bar associations ought to do it. Well, bless your soul, we of the other 43 States have no

control over these 5 States, New York, Illinois, Minnesota, Missouri, and California, where this is going on.

Let us see how great is that racket out there in Minnesota, in St. Paul and Minneapolis. Let me call your attention to what is going on out there, and in Chicago, Ill.

One man in Chicago, Sol Andrew, Russian-born, who got a license to practice law, has a quarter of a million dollars invested in this racket.

Let us talk about St. Paul and Minneapolis, Minn., and see what has happened out there. Just before this bill was introduced, from Illinois 35 suits have been imported into Minnesota, 4 from Indiana, 39 from Iowa, 4 from Kansas, 5 from Michigan, 1 from the rest of the State of Minnesota, 1 from Mississippi, 8 from Missouri, 25 from Montana, 24 from Nebraska, 14 from North Dakota, 8 from Oklahoma, 1 came from Ohio, 6 from South Dakota, 2 from Texas, 22 from Washington, 35 from Wisconsin, and 6 from Wyoming, a total of 237. All told they have had transported into these States, California, Missouri, Illinois, Minnesota and New York, more than 2,300 lawsuits.

Mr. ROBERTSON. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from North Dakota.

Mr. ROBERTSON. As the gentleman knows, I represent the State of North Dakota at large. It is through my State of North Dakota that the northern transcontinental railroads all run. They radiate out of St. Paul. I have lived out in that country a long time and I positively know of a number of cases where men have been taken into St. Paul and their board and room paid for months upon months during the time their cases are being held up for trial. I think it is time that we correct this situation and I am thoroughly in accord with the gentleman's bill.

Mr. JENNINGS. The only way it can be done is by legislative action.

In a case in which the Supreme Court divided 5 to 4 on whether or not this racket should be stopped, Mr. Justice Jackson said:

A privilege of venue, granted by the legislative body which created this right of action, cannot be frustrated for reason of convenience or expense. If it is deemed unjust, the remedy is legislative—a course followed in securing the amendment of April 5, 1910, for the benefit of employees.

That is the only remedy we have. These local bar associations have no defense against a fellow who comes in during the night, goes out and solicits a case, gets a contract and transports it to these lawyers up there in Minnesota or in Illinois or in California. Why, there is one firm out in Los Angeles that has over 600 pending cases. It is heartening, however, to know that the State bar association of California has endorsed this measure, the bar association of Los Angeles has endorsed it, and this morning a letter came to me showing the endorsement of this measure by the State Bar Association of New York. Thirty-eight State bar associations have endorsed it. The American Bar Association has endorsed

it as well as hundreds of local bar associations.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. I am familiar, as is the gentleman, with what is going on in Tennessee. It seems to me the trouble about the bar associations doing anything about the problem is that we in Tennessee, for instance, can do something with our lawyers, but when lawyers come in from another State and probably leave in the next day or two, it is very difficult to do anything.

Mr. JENNINGS. You cannot do anything at all.

Mr. KEFAUVER. For instance, if a lawyer comes into Tennessee from Missouri, Illinois, or St. Louis, Mo., the Missouri bar will not be very much concerned about what they do in Tennessee. Is that not the case?

Mr. JENNINGS. That is true. These States in which and from which these racketeers ply their trade care not what their denizens do to Tennessee. In addition to that, here is the excuse they give for it.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from New Mexico.

Mr. FERNANDEZ. The gentleman has stated that the bar associations have endorsed this bill. Now, have they endorsed the bill as originally introduced, which was limited to Federal Employers Liability Act cases?

Mr. JENNINGS. They have endorsed the objective of the bill, and all that I have heard from since this amendment was proposed by the committee have endorsed it.

Mr. FERNANDEZ. They have not directly endorsed the bill.

Mr. JENNINGS. This is a bill to destroy the racket, and those opposed to the racket endorse this bill. I cannot yield further right now.

Now, here is the ground they put their justification of this solicitation on. I read from a letter from F. G. Pellett, State representative of the Brotherhood of Railroad Trainmen. I want to say that all the representatives of the other brotherhoods who testified before the Committee on the Judiciary state that they oppose this practice and their brotherhoods have not resorted to these methods. They do not have these lawyers who go out and run down these cases for some racketeer. This man Pellett wrote me this letter defending his opposition to this measure, and in speaking of these small towns from which these lawsuits are transported, he wrote:

In smaller localities it is almost impossible to get a competent lawyer who understands the problems of these railroad men or who would be able to properly handle their cases. Of course, that is one of the principal reasons why the railroads want this bill. The lawyers who specialize in these cases are found in the larger cities, and would not be available in the outlying communities. These laws present very specialized problems and the lawyers who try these cases need to know the various safety appliance and other laws and railroad rules and practices. Furthermore, they should have facilities for

conducting a proper investigation and obtaining independent medical examinations by medical experts. It is seldom that the lawyers in the smaller communities are able to do these things.

Now let me say to you as a lawyer who has tried personal-injury cases for more than 40 years that a personal-injury suit is the simplest lawsuit that a lawyer brings in any court. All in the world you have got to do under this Federal Employers' Liability Act is to put your fingers on some act, any act, of negligence of any employee or agent of the carrier which caused the injury or the death of an employee, and when you do that your action is complete, and the lawyer who has sense enough to draw a pleading and find his way to the courthouse can bring, try, and win one of these lawsuits. When they tell you that it takes these specialists in these big cities to prepare these personal-injury suits, which is little more than a suit on a note, they do not rise to the dignity of respectable nonsense. Oh, they say they have doctors at their beck and call in these centers. It does not take a doctor to tell that a man is dead. A wayfaring man, though a fool, knows when a man is dead. If a man has a leg or an arm off, that is self-evident; he knows that. A man came in to see me this week and asked me to vote against my own bill. He said the thing that bothers him and his associates is the sacroiliac injury. He says it really takes an expert to make a lawsuit out of a sacroiliac injury. I said, "Why?" "Well," he said, "the symptoms are subjective; there is nothing there to see. You have just got to take the fellow's word for it. You have to have an expert to build him up." Now, that just does not make sense. My distinguished friend the gentleman from Minnesota [Mr. DEVITT] says he has an amendment that will cure this whole thing. First, I will read you the indictment that he brings against this practice of these lawyers, these men who dominate the practice in St. Paul, Minn. Here is what my good friend the gentleman from Minnesota [Mr. DEVITT] says in his report to this House:

It is admitted that certain unethical attorneys solicit cases under the Federal Employers' Liability Act and transport them to far-distant places for trial.

Why, there are instances where cases have been taken from Washington, and Oregon, and California, and New Mexico, and Arizona, and Nevada, to New York, more than 3,000 miles away, and they have transported cases from New York and Pennsylvania to the west coast. Nearly all the lawsuits that arise in Pennsylvania are transported to Chicago.

A lawyer flitted into our hearing room from New Jersey and represented himself to be a representative of the Bar Association of New Jersey, and then we pinned him to the wall and made him admit that he was not a representative of the association. It developed on cross-examination that within the last year he had brought 20 suits under this act, and that the suits originated in Pennsylvania, Ohio, New York, and West Virginia, and that these plaintiffs that he represented had never known him before. He had never been in their coun-

ties. He had never tried a lawsuit there. How did he happen to get those cases other than by runners who transported them to him? Now, this man Andrews, from Chicago, this Russian, has organized a side-kick corporation, the stockholders of which are his wife and his brother.

In that enterprise he has invested a quarter of a million dollars. A report was made just the other day by a special master to the Cook County Superior Court in Chicago that Andrews would send runners out; he hired a yard foreman out in California, and he would send his runners out to the injured man or to the family of a deceased and they would show them a big check that he claimed he had gotten as a recovery, and then when the person solicited would sign a contract, in order to fence against trouble, if Andrews should be hauled into court his runners would antedate a letter and have the victim sign a letter reciting that they had heard of a big recovery that Andrews had obtained for some person and they wondered if they could induce him to take his lawsuit and do something for him. That practice has gone on until he has been driven into a corner and is nearing the end of his tether.

Lawyers are not policemen. Bar associations are loath to get after a brother lawyer. But I have this conception of the legal profession. The majority of lawyers are decent in the practice of the law. The honorable lawyer is an unbonded trustee of society. Are these fellows who are getting all this business going to get away with this by telling your people, who live in your district, that there are no lawyers in your congressional district who are competent to bring a lawsuit under this act, that the judges are owned and dominated by the railroads, and that the jurors are all under the control of the railroads? A. F. Whitney wrote me, and this is what he said:

These widows and orphans require the services of lawyers who are specialists in handling cases under the highly technical provisions of the Federal Employer's Liability Act, and they require suit to be brought in communities where in many instances—

Listen to this, now—

every man, woman, and child is to a greater or less extent under the influence of the railroads against whom the judgment is sought.

I live in a town where there are more than 5,000 railroad employees. They are fine citizens, members of the churches, members of the lodges, members of the civic organizations, owners of their homes. They have intermarried with people all over the county. There never has been a time when an injured railroad man could not get justice at the hands of a jury and a court in my State. The truth of it is that the railroad company starts with two strikes on it in undertaking to defend that kind of a suit.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Everyone who ever tried a lawsuit against any city slicker lawyer knows that you always stand a



better chance in your home district, where the man lives.

Mr. JENNINGS. Of course. I thank the gentleman for that contribution. If they have these specialists, these wizard lawyers who have that great keenness of intellect which enables them to understand and effectively apply the simple provisions of the Federal Employer's Liability Act, just like the ABC's, they can import them into Tennessee and into Texas and Oklahoma. That will be cheaper and simpler than transporting these thousands of cases across the continent. The State Bar Association of Indiana and the county bar associations in Indiana are here endorsing this measure. Indiana lawyers are good lawyers. Tennessee lawyers are good lawyers.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from New York.

Mr. CELLER. Will the gentleman say that the bar associations he mentioned have approved H. R. 1639, the committee print that was reported to the House June 19, 1947, or was it the previous bill?

Mr. JENNINGS. They approved the previous bill, and they also approve this bill. I received a letter this morning from the Bar Association of the State of New York.

Mr. CELLER. Did all the bar associations the gentleman mentioned approve the second bill?

Mr. JENNINGS. They approve the objectives of the bill. This is designed to stop a racket. The racketeers and their friends and supporters say it cannot be done. Thirty-eight State bar associations think it can be stopped. Every racketeering lawyer thinks this bill, if enacted into law, will stop the racket. Because of this fear and belief they are all opposed to it. There is just one remedy for the disgraceful misconduct that has been exposed in the hearings on this measure. That remedy is in the hands of Congress. It can be accomplished by passing this bill.

Mr. FOLGER. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to my friend from North Carolina.

Mr. FOLGER. May I ask the gentleman if this legislation is not conceived and designed to protect people and their rights rather than to protect lawyers in their practice?

Mr. JENNINGS. You are exactly right because in many instances where these victims of these racketeers are transported across the continent and put in hotels and kept there at their own expense when a recovery is had. These lawsuits are purchased for from \$400 to \$4,000. In many instances, after the recovery is had and these fellows take out the expenses of taking these people across the continent, transporting witnesses, and keeping them in hotels, and so forth, plaintiffs do not have anything left. This is a showdown between the honest lawyers and the honest people of this country and the racketeers who are victimizing the injured railroad employees and bringing these suits under this act. The brazen effrontery of this racket is without precedent in the history of our profession.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, I suppose after the closing remarks made by the distinguished gentleman from Tennessee it might be concluded that I am on the side of the unlawful and the shysters. It certainly seems to me that we can correct the racket which admittedly exists through the adoption of the amendment which our distinguished colleague, the gentleman from Minnesota [Mr. DEVITT] will offer. It is very significant that up to 1942 these rackets did not exist. They were unheard of. They were unheard of because the doctrine of forum non conveniens applied, and when an attempt was made to take a defendant railroad into a jurisdiction where there was no reason for it to be, the railroad interposed that plea, and the court thereafter decided that it did not have jurisdiction and sent the case to the proper forum.

I have gotten the impression we are today attempting to use a shotgun when an air rifle would do. I do not see any reason in the world why the law as it existed up to the time of the Kepner decisions is not adequate. Certainly, it is necessary to maintain some fluidity in the place of venue. It is necessary to permit the plaintiff to have his cause adjudicated in the district in which witnesses are available. That is what happened before the Kepner decision, a decision of the Supreme Court in which it was held that the Federal Employees' Liability Act did not come within the general provisions of the venue statutes.

Why should we write a law that unquestionably discriminates against a certain class of our citizens? This law, as suggested here today, provides a different method of bringing a cause of action for people who are injured on railroads. Do we want to do that? Is that the fair thing to do? I am thoroughly convinced that we can eliminate all this racketeering. This racketeering that has grown up since 1942 through the enactment of the amendment that the gentleman from Minnesota [Mr. DEVITT] will introduce, as I understand it.

Mr. DEVITT. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Minnesota.

Mr. DEVITT. May I ask the distinguished lawyer, the gentleman from Pennsylvania, if it is not true that if we adopt the proposal embodied in this bill we are going to abrogate the venue statutes of all the States of the Union with reference to the movement of lawsuits around the States?

Mr. WALTER. There is no question about that. And do you think that we in Congress ought to enact legislation which will seriously affect the venue statutes of every one of the 48 States? That is exactly what would happen under this bill.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Illinois.

Mr. OWENS. I just want to take this time to congratulate the gentleman from Pennsylvania for a calm and legal dis-

sertation on the subject without the heat and unfounded charges of the previous speaker. I wish to congratulate him.

Mr. WALTER. Of course, all of us abhor ambulance chasing. We lawyers have always been very careful to try to eliminate people of that sort from the profession. The bar associations are always alert. As a matter of fact, the most flagrant case was one in Illinois, and I understand that steps have been taken there to disbar the lawyer who had runners out over the country bringing this type of cases to him. If we will follow the law as it worked up to 1942, this matter will take care of itself and we will not be placed in the position where we could be charged with writing a discriminatory statute.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALTER] has expired.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Chairman, I have been much amused by two things in this debate. One of them is the frequency with which the phrase "ambulance chaser," or "ambulance chasing," comes up. Such an expression now, because of this racket, is an anachronism. We do not have any more ambulance chasing. Nowadays these unethical lawyers send the ambulance for the victim, take to the air, if necessary, and wait for him at the hospital. Ambulance chasing is now old stuff and outmoded.

The single purpose of the pending bill is to promote and more nearly assure justice by bringing back the right of every person having a lawsuit against a railroad to have it tried in his home county or at the place where the cause of action arose, whichever he prefers.

Nearly 800 years ago this right was born. Even the Court of Star Chamber held all its sessions in London—a fixed place, known in advance. This courtroom was within 600 miles of the most remote home in "the tight little island." But Englishmen rightly felt that the Court of Star Chamber was an inexcusable deprivation of the right of a free man to a trial in the vicinity of his home, or of the res gestae, by a court held in, and by a jury of his home county. So they revolted against such tyranny, and through their representatives, the barons, wrung from the unwilling hand of King John, at Runnymede, the Magna Carta which granted and guaranteed the right of local judicial trial, by a local jury. This Magna Carta became part of the common law of England which we adopted as the basic law of the United States, and of every State of our Union except Louisiana, which preferred to continue to use the "Code Napoleon." So important was it deemed by our founding fathers that it was enshrined implicitly in our Constitution and Bill of Rights.

This is how Magna Carta put it: "Amercement shall be only by the oath of honest and lawful men of the vicinage."

This right, among others, for which the barons of Runnymede risked their baronies and lives, we have forfeited by changing the law so as to permit racketeering.

teers and their "runners" to beguile the uninitiated into exiling their causes of action to the control of strangers, in strange and distant places, whose only interest is selfish gain.

These strangers had never been seen before the accident, and never will be seen after the trial. So, they are under no restraint of friendship for the injured, nor of fear of the condemnation of public sentiment in the remote bailiwick of their victim. They rarely exact more than 90 percent of the judgment.

Quoting from the report of this bill:

The evidence presented to the committee establishes that the employees of 51 railroads, during the 5-year period, July 1941 through June 1946 filed a total of 2,512 suits, in remote jurisdictions rather than in the district where the accident took place or the plaintiff lived. More than 92 percent of all these imported suits were filed in five States: Illinois, California, New York, Minnesota, and Missouri. In Illinois alone, 772 suits of this character were filed. They were based on causes of action arising not only in nearby States, but also in Washington, Oregon and California; in New Mexico, Arizona, and Texas; in Florida, Georgia, Virginia, and the Carolinas; and in New York, Pennsylvania, and New Jersey. Of the suits so filed in Illinois, 75 involved accidents in California, and 54 involved accidents in Pennsylvania.

The committee also finds that the concentration of such legal business was almost exclusively for the benefit of a few lawyers. Three Chicago law firms handled 456 cases of this kind, or almost 60 percent of all cases filed in Illinois; two Minneapolis law firms handled 57 percent of all such suits filed in Minnesota; and one Oakland, Calif., law firm handled 643 of a total 696 suits filed in California.

The reason back of this horrible situation is clearly shown by the testimony given at the hearings in your Committee on the Judiciary, describing its iniquitous workings, as quoted in the report of this bill. "The line" of solicitation used by the employed "runners" include these two persuasive arguments: that it would be considerably more difficult for the railroad to defend itself if the case were taken for trial in some far distant city rather than at home; and that "larger verdicts could be gotten in Chicago."

Mr. Justice Robert H. Jackson never uttered a truth more worthy of study in this context than when he said, "Courts try cases, but cases also try Courts."

This bill is not for the benefit of the bar. It is not a lawyer's bill, as the opposing lobbyists charge. The local lawyer can get along without the employment in the case of his home-town friend. That is only one case. But frequently that case is the entire estate of the man who was injured or killed.

No, the only question in this case is: Are you for or against stealing?

The racketeers this bill will stop steal in every case. If they get a fair and honest verdict, they wrongfully take from the plaintiff their excessive fee, "runners drag," and needless expenses for travel and maintenance. If they get a verdict for more than is fair and honest, then they have robbed the railroad. Either is stealing.

But they also steal the good name—that pearl of great price—from both bench and bar.

Another theft is of the confidence of the public in the administration of justice, leading to the temptation to take the law into private hands, substituting the law of the jungle for civilization.

Judge Morris, in the Eisler trial, just yesterday illustrated the basic truth that courts of justice, worthy of the name, must preserve inviolate the right to a fair trial. Nothing short of that can be justice. Shake public confidence in that, and respect for all government dwindles. So communism is bred.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman the balance of my time.

The CHAIRMAN. The gentleman from Alabama is recognized for one additional minute.

Mr. HOBBS. I thank the gentleman from New York [Mr. CELLER].

Mr. Chairman, may I conclude by saying a word about the Devitt amendment?

The gentleman from Minnesota [Mr. DEVITT] is a most honorable, sincere, able, and lovable lawyer, jurist, and gentleman. However, he is espousing a cause that is unworthy of his high character and talent. The gentleman from Minnesota talks of restoring what he and his conferees are pleased to call the doctrine of *forum non conveniens*. They use Latin. Is it because they fear we might understand? Of course, he does not mean to help the crooks we are crimping. But, with reference to this bill, *forum non conveniens* means: for the convenience of crooks.

Mr. Chairman, this bill is righteous. It cures a shameful situation, the corruption of which cannot be defended. I know the pressure that has been brought upon all of us to kill this bill. Those gentlemen who fight this reform are honestly mistaken, but I cannot say that they are honestly misled. My experience in dealing with and representing railroad brotherhoods has taught me that their membership, and most of their leadership, is composed of good American citizens who wish only what is right. The passage and approval of this bill will assure them and all others, what is right—a square deal, justice. Those who fight this bill today will live to bless it.

The CHAIRMAN. The time of the gentleman from Alabama has expired. All time has expired. The Clerk will read the committee amendment as an original bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the second paragraph of section 6 of the act entitled "An act relating to the liability of common carriers by railroads to their employees in certain cases," approved April 22, 1908, as amended (title 45, U. S. C., sec. 56), is amended to read as follows:

"No case arising under this chapter and brought in any State court of competent jurisdiction shall be removed to any court of the United States."

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Tennessee [Mr. JENNINGS] spoke of the approval of this bill by, I believe he said, thirty-odd bar associations. I want to draw the committee's attention to the

fact that those approvals were of the original bill. The original bill was limited to employees of railroads. Under an amendment adopted by the committee as embodied in the bill before us the venue limitation was expanded so that it applies not only to employees of railroads but to anyone injured by the railroad company whether he be a passenger or someone injured along the tracks or in a terminal or office or property of the railroad. I am sure the bar associations mentioned would not approve the bill that is now before us. Bar associations with probably one or two exceptions, I am sure, would not give approval, now that the bill includes passengers and those injured on or along the railroad tracks or in railroad terminals.

The gentleman from Tennessee says this bill takes away no rights. I must emphatically deny that. He did not tell you that this bill takes away a precious right, the right granted by 48 States, the right to sue the railroad where it resides, where it does business, or has its office. Thirdly, note the favoritism to railroads. Why are railroads singled out for these benefits?

The so-called burdens are not removed from interstate bus companies, they are not removed from airplane companies, they are not removed from companies operating along interstate rivers. Why is it that interstate common carriers by rail are the only ones to be favored?

Mr. Chairman, this bill got off to a wrong start. It originally provided that the venue should be limited when employees of railroads sued to the residence of the employee or the district where the accident occurred. We properly charged in the committee that that was rank discrimination—discrimination against the 2,000,000 railroad employees. We argued, "Why should employees of railroads be singled out and have these burdens solely placed upon them? Then the author of the bill and those who followed him in the committee amended the bill to include not only railroad employees but any plaintiff bringing any action for death or injuries due to negligence against the railroad."

Now you have a situation where they have worsened the bill. It was bad enough originally. Now you take away these precious rights not only from railroad employees but from the passengers, thousands and thousands of passengers, who may want to bring a suit in tort against railroad companies, as well as 2,000,000 railroad employees.

The liability of railroads to respond in damages for injury or death negligibly inflicted on passengers or employees is not a Federal right. It is basically a common-law right deriving from State law and cognizable in the courts of the several States notwithstanding the fact that the right has been codified by act of Congress and certain common-law defenses eliminated. The right stems essentially from the State. Now you come in and push the States around as though they were pawns on a chessboard.

I shall put in the Record the venue statutes of quite a number of States. Let me read a few.



The CHAIRMAN. The time of the gentleman from New York has expired. Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. CELLER. Mr. Chairman, let me read you the statute of the State of Alabama, from which the gentleman comes who just addressed you. That provides that a foreign corporation may be sued in any county in Alabama, and it goes on to say that a railroad company shall be deemed a foreign corporation.

In Illinois civil actions may be brought against a railroad company in the county in which such corporation has its principal office. That is done away with by this bill.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Minnesota.

Mr. MACKINNON. Is it not a fact that any foreign corporation that comes in must file a consent-to-be-sued in every county of the State?

Mr. CELLER. I think that is correct.

In Indiana an action against a railroad for injury to persons or property on the railroad may be brought in any county through or into which it passes.

Iowa, an action may be brought against any railroad corporation in any county through which such road or line passes or is operated.

Kentucky: Permits suits against common carriers to be brought in the county where the defendant resides or where the plaintiff resides or where the injury occurs. In a particular case it was held that the residence of a foreign corporation is where its chief officer in the State resides. This bill would eliminate that forum.

Let us see what the statute is in my own State of New York. An action must be tried in the county in which one of the parties resided at the commencement thereof, and if neither party resides in the State, in any county designated by the plaintiff.

In my own State of New York a railroad is held to reside, for purposes of the venue statute, wherever it operates, wherever it has its tracks.

And so on through the other States of Ohio, Pennsylvania, and Texas.

We would do away with and wipe out all those State venue statutes and we should therefore consider this matter very carefully before we take such action. I herewith give some of the State venue statutes:

#### ALABAMA

Code of Alabama, 1940, title 7, section 60, provides that a foreign corporation may be sued in any county in which it does business by agent, and a domestic corporation may be sued in any county in which it does business by agent or did business when the cause of action arose. But all actions against a domestic corporation for personal injury must be brought in the county where the injury occurred or where the plaintiff resides if the corporation does business

by agent in that county. Since most railroads doing business in Alabama are foreign corporations, the State policy as expressed in State law makes most railroads subject to suit in any county in which they do business and accordingly the injured employee, like other claimants against railroad, now has the choice of any of these counties in which to bring suit. The bill would exclude all of them except the county in which the injury occurred or the county of the employee's residence.

#### ILLINOIS

Jones' Illinois Statutes, Annotated, section 104.008, provides that civil actions may be brought against a railroad company in the county in which such corporation has its principal office or is doing business or in which the transaction or some part thereof occurred out of which the cause of action arose. The bill would substitute for the county in which the corporation has its principal office or is doing business the county in which the plaintiff resides. It has not been ascertained whether in Illinois a railroad is considered to be doing business for purposes of this statute in each county in which it operates, but the statute on its face would seem to indicate that it is subject to suit in each such county.

#### INDIANA

Burns' Indiana Statutes, 1933, section 2-705, provides that an action against a railroad for injury to persons or property on the railroad may be brought in any county through or into which it passes. Obviously under this provision all claimants against railroads for injury to persons or property now have, and claimants other than employees will continue to have, a wide choice of forum.

#### IOWA

Code of Iowa, 1946, section 616.8, provides practically the same choice of forum as that provided in Indiana. Under it an action may be brought against any railway corporation in any county through which such road or line passes or is operated.

#### KENTUCKY

Kentucky Code of Practice in civil cases, section 73, permits suits against common carriers to be brought in the county where the defendant resides or where the plaintiff resides or where the injury occurs. In the case of *Knight v. Pennsylvania Railroad* (264 Ky. 412) it was held that the residence of a foreign corporation is where its chief officer in the State resides. The bill would eliminate that forum.

#### MASSACHUSETTS

Under Annotated Laws of Massachusetts, chapter 223, section 7, the venue for suits in the superior courts is substantially the same as that which the bill would provide, but that section does not apply to actions in the district courts, and the district courts have concurrent jurisdiction in tort cases. Venue in the district courts is governed by chapter 223, section 2, which provides that actions are to be brought where a defendant resides but that actions brought against persons who are not inhabitants of the State may be brought wherever service of process or

attachment can be had. The Massachusetts courts hold foreign corporations doing business in the State to be not inhabitants of the State. See *Potter v. Lapointe Machine Tool Co.* (201 Mass. 557). Consequently, under present Massachusetts law all railroad companies not incorporated in Massachusetts are subject to suit in the district courts wherever service of process or attachment may be effected.

#### MICHIGAN

Michigan Statutes Annotated, section 27.641, provides that suits against a railroad company may be brought in any county where the principal office of the company within the State is located or any county traversed by any line owned or operated by the company or any county where it owns or leases right-of-way, but if the line traverses the county of the plaintiff's residence suit is required to be brought in that county. Thus, plaintiffs who do not reside in a county traversed by the line of road have a wide choice of forum which the bill would take away.

#### NEW YORK

New York Civil Practice Act, section 182, provides that an action must be tried in the county in which one of the parties resided at the commencement thereof, and if neither party resided in the State, in any county designated by the plaintiff. It is established by judicial decision in New York that this provision affords a much broader choice of forum for actions against a railroad than it would appear to do on its face, because a railroad is held to reside, for purposes of this section, wherever it operates. See *Levey v. Payne* (200 App. Div. 30).

#### OHIO

Page's Ohio General Code, section 11273, lays the venue in personal injury actions against a railroad in the county where the cause of action arose or where the plaintiff resided at the time of injury if any part of the road is located in that county. But if no portion of the road is located in the county of the plaintiff's residence, he may sue in the nearest county where the road is located. Thus the bill would affect employees resident in Ohio only where no part of the road is located in the county of the employee's residence. However, nonresident employees who wish to sue in Ohio may do so in any county and are not restricted as to forum in the manner that resident employees are—*Railroad v. Baillie* (112 Ohio State 378). Apparently venue in such cases is governed by the general provision contained in the section above cited that actions against a railroad may be brought in any county into which or through which the line of railroad extends. It is interesting to note that when the Director General of Railroads during the First World War issued an order limiting venue in the same manner that the bill seeks to do, the order was held invalid in Ohio because of conflict with the State law—*Eystone v. C. C. & St. L. Ry.* (21 N. P. R. (N. S.) 553).

#### PENNSYLVANIA

Rule 2179 provides that actions against corporations may be brought in and only in the county where its registered office

or principal place of business is located or a county where it regularly does business. Here again the "doing business" basis of venue affords a wide choice of forum that would be abrogated by enactment of the bill.

# TEXAS

Vernon's Annotated Texas Statutes, article 1995, paragraph 23, sets forth the basis of venue in suits against corporations generally, and then provides specifically that suits against railroads may also be brought in any county into or through which the road extends or is operated. This specific expression of State policy likewise would be superseded by Federal law if H. R. 1639 were enacted.

Mr. SPRINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: Page 2, line 18, after the word "this", strike out the word "chapter" and insert the word "act."

Mr. SPRINGER. May I say, Mr. Chairman, that this is merely a clarifying amendment. It does not change the meaning or phraseology of the act in any respect whatsoever.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. SPRINGER].

The amendment was agreed to.

Mr. DEVITT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Mr. DEVITT offers the following substitute for the committee amendment to H. R. 1639: Strike out all after the enacting clause and substitute the following: "That the second paragraph of section 6 of the act entitled 'An act relating to the liability of common carriers by railroads to their employees in certain cases,' approved April 22, 1908, as amended (U. S. C., 1940 ed., title 45, sec. 56), is amended to read as follows:

"Under this act an action may be brought in a district court of the United States in accordance with the provisions of the General Venue Statute (U. S. C., 1940 ed., title 28, sec. 112, as amended) applicable to other civil suits. The jurisdiction of the courts of the United States under this chapter shall be concurrent with that of the courts of the several States, and no cases arising under this chapter and brought in any State court of competent jurisdiction shall be removed to any court of the United States."

Mr. DEVITT. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. DEVITT. Mr. Chairman, I am very sorry that this discussion has degenerated into appeals to passions and prejudice with reference to these racketeering lawyers. I want to tell you that no Member of this House has a corner on righteousness or justice or in his desire to uphold fair dealing and honest relationship between lawyers and their clients. I was very sorry to hear the gentleman from Tennessee make reference, in the manner that he did, to the racketeers who flourish in the State of Minnesota, a statement which, to me, carried the inference that I might in

some way be associated in support of such nefarious activities.

I want to advise him, and I want to advise the Members of this House, that I condemn with all the vigor at my command the activities of any lawyer who violates any of the codes of ethics of the American Bar Association or of any bar association in any State of the Union. I am bitterly and unalterably opposed to their activities. But those of us who are opposed to this bill, and have a substitute solution to the problem, are immediately held up as upholding the hands of these racketeering lawyers; so I repeat to you again and again that I am bitterly opposed to their activities. I think that we can prevent their further activities without at the same time enacting prejudicial legislation, not only to the 2,000,000 railroad workers, but to all of the people of the country who might have a lawsuit against a railroad, and at the same time without disturbing the well-established fabric of our Federal and State laws.

I was a member of the subcommittee which held hearings on this legislation. I attended every one of those hearings. I read the report of the hearings twice. I have studied and examined the statutes of the 48 States of the Union, the statutes of the Territory of Hawaii, and of Alaska, with reference to this problem. So I feel that in some way the solution which I will offer today has some merit.

I want to assume that many of you were not here late yesterday afternoon when I talked to the Members about this proposed amendment, and if I may make that assumption, I would like to go on and tell you about the amendment and what it seeks to do.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield to the gentleman from Indiana.

Mr. SPRINGER. The gentleman was present at all of the hearings. Some question has been raised here about the insufficiency of the hearings. Is it not true that we went into every phase of this question at those hearings?

Mr. DEVITT. I am very happy to tell the Members of the House that the committee held extensive hearings for many weeks, covering some 124 pages, and I may say that the gentleman from Indiana [Mr. SPRINGER] was very fair in conducting the hearings. At the same time, I think I should say to the gentleman from Indiana and the members of the committee that the bill on which we are asked to vote today is not the bill on which we held hearings. It is an entirely different bill, which amends a different section of the statute, and it also has an entirely different title.

I may say in passing that not one single bar association or group of lawyers in the United States has approved this bill in its present form. The gentleman from Tennessee this morning read the names of various bar associations that had given endorsements, but those bar associations did not endorse this bill. They endorsed the principle of driving racketeers out of the legal profession, and I, too, endorse that principle. I challenge the gentleman who sponsors the bill to

bring in the resolutions of these associations. If you will turn to the record of the hearings, on pages 20 to 24 you will find a resolution of the Chicago Bar Association, of which I happen to be a member. That resolution does not endorse this bill. It endorses the principle, and recommends amendments to the bill. That is what I am trying to do today, propose amendments to it.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield to the gentleman from California.

Mr. NIXON. The gentleman has indicated that he has made a rather complete study of the statutes of the various States and that he has attended extensive hearings on this matter. He has also indicated that the problem of racketeering in these cases is one about which something should be done. Has the gentleman in studying the various statutes found any one of them which attempted to control this type of racketeering in the legal profession, which we know exists not only in railroad cases but in connection with other types of litigation through this method of limiting the venue in the cases?

Mr. DEVITT. I answer the gentleman's question in the negative. I have found no instance where there was an attempt by a legislative body to remedy an evil of this kind. I would be content to enact legislation which might remedy the situation if at the same time it did not work a prejudice on other people, if at the same time it did not disturb all the State laws and our own Federal law and practice which has existed for 150 years.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. The gentleman has made a very fair statement about the matter, and I am sure no Member of the House wants to approve racketeering. May I ask the gentleman if it might not be that in establishing the doctrine of forum non conveniens there would have to be two trials? That question was raised in the committee. You would first have a trial to see whether that was a convenient forum, and then if it was decided that it was not a convenient forum, you would have to send it to some other court. Has the gentleman gone into that question?

Mr. DEVITT. Yes, I have; and I would be very glad to answer the gentleman's question.

Mr. KEFAUVER. Will the gentleman tell us the result of his research?

Mr. DEVITT. I would be very glad to. First, I will explain my amendment, then I will answer the possible objection to it which the gentleman from Tennessee raises.

The object of my amendment is to put the law in exactly the same situation it was prior to 1942. We talked yesterday about two decisions which the United States Supreme Court rendered in late 1941 and early 1942.

The effect of those decisions was to hold that in cases brought under this particular act the doctrine of forum non



conveniens was not applicable. That means, therefore, that if the racketeer brings his case down in Florida and the case properly belongs in Chicago the court could not send it back to Chicago. The doctrine of forum non conveniens is applicable to all of the other lawsuits tried in the country, but, for reasons not pertinent to be discussed here, the Supreme Court said that the doctrine is not applicable under this particular act. So my proposed solution, as contained in this amendment, is to provide that instead of bringing cases under this particular act, to which the doctrine is not applicable, I propose to bring them under the general venue statutes to which the doctrine is applicable. It will have the effect then of reinstating the doctrine of forum non conveniens insofar as these lawsuits are concerned in the same way that all lawsuits are affected.

Mr. MacKINNON. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield.

Mr. MacKINNON. And that would put it under a statute, the construction of which is already settled.

Mr. DEVITT. That is a good contribution, and I am glad to have it from the gentleman. That leads me to answer the question proposed by the gentleman from Tennessee [Mr. KEFAUVER]. He interposes this objection to my proposed amendment. He says, "Is not that going to result in the necessity of trying two lawsuits? Let us say that the racketeer does bring his lawsuit in Florida. Is it not then necessary for the railroad to first go into court and prove that the lawsuit does not belong in Florida and then go back to Chicago and try the lawsuit? Is that not two lawsuits instead of one?"

The answer is "No." This doctrine of forum non conveniens is applicable to all lawsuits. Does it result in two lawsuits in every case tried in the United States? I am sure it does not.

The advantage of bringing these cases under the general venue statute is that we thereby inherit all of the judicial decisions which have been handed down under the general-venue statute. So I am satisfied that we will not be molested with the two-suit business.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield.

Mr. WALTER. The complete answer to the question of whether or not the enactment of this amendment would result in two lawsuits is that the question of the convenience of the court is raised preliminarily and no trial is necessary in order to raise that question.

Mr. DEVITT. You mean that it is an informal proceeding?

Mr. WALTER. Yes.

Mr. DEVITT. So they are not really two cases. I thank the gentleman for that observation.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield.

Mr. CARROLL. I am sure the gentleman would want a very clear expression of legislative intent with reference to his amendment. Your amendment, if adopted by the Congress, would have for its purpose giving those to whom, let us

say, the suit is burdensome the right to be heard where the trial is brought and where the action is instituted. But, you see, we are running afoul of another doctrine. This is a very legal argument—a technical, legal argument. We are running afoul of another doctrine.

With respect to this idea of oppressive lawsuits, here is what the railroads have done: When a man was injured in Ohio and brought suit in Illinois, they have not raised this doctrine that you have been speaking of in Illinois, but have raised that equitable doctrine in Ohio.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CARROLL. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. WILSON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield.

Mr. WILSON of Indiana. The gentleman made the statement that the bar association did not endorse this bill. I have a letter from the president of the Indiana Bar Association stating that the association had unanimously endorsed this bill.

Mr. DEVITT. As amended?

Mr. WILSON of Indiana. This bill.

Mr. DEVITT. This particular bill, as amended?

Mr. WILSON of Indiana. H. R. 1639.

Mr. DEVITT. I was a member of the subcommittee. This bill is an entirely different bill from the bill upon which we held hearings. This bill covers not only 2,000,000 railroad employees but it covers everybody who has an action in tort against a railroad.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. DEVITT. I yield.

Mr. SHORT. The sauce that is good for the goose is good for the gander. If it is going to apply to the railroad employee, why should it not apply to everybody? Are they in a second category or different from someone else?

Mr. DEVITT. Presumably, according to the sponsors of this bill.

Mr. SHORT. I have three sisters married to railroad men. My brother married the daughter of a railroad conductor; but we are all human beings.

Mr. DEVITT. I hope then that the gentleman supports my amendment.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. Devitt] has again expired.

Mr. SPRINGER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment which has been proposed by the distinguished gentleman from Minnesota, a member of the Judiciary Committee, would have but one effect: It would practically destroy this legislation. As a matter of fact, the gentleman has raised the question with respect to bar associations, and as to whether or not they have approved this particular type legislation. The bar associations have sent in their resolutions with respect to the venue of actions of this kind, and their resolutions

applied to this particular bill and to this particular character of legislation. So I think, perhaps, from that statement and from the letters I have received since those resolutions came in, that they were in complete uniformity with respect to their approval of this measure with respect to the venue of actions. These communications were received after the present measure had been amended.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Missouri.

Mr. SHORT. I just want to get this clear. How many State bar associations have endorsed this bill?

Mr. SPRINGER. There were 38 State bar associations, there were 27 of the large city bar associations, and there were 106 of the local county bar associations.

Mr. SHORT. Has the American Bar Association taken any stand?

Mr. SPRINGER. Yes. The American Bar Association has taken a positive position in favor of the legislation.

Mr. DEVITT. Would the gentleman read the endorsement of the American Bar Association or the endorsement of the Minnesota Bar Association?

Mr. SPRINGER. Well, now, I understand the position of the Minnesota Bar Association, and I understand the Chicago Bar Association generally. I do not have those resolutions with me. They are on file in the Judiciary Committee. In other words, the bar associations have approved this character of legislation. They approved it for the benefit of these poor fellows who are injured, people who are injured on railroad trains; railroad employees, passengers, the fellows who are injured at a crossing accident, and the fellow who is injured along the tracks in any manner. This last bill merely expands it so that it covers all who are injured by a railroad common carrier. May I say at this particular point the matter which is now presented before the House is a question of what is right for this poor, unfortunate fellow who has been injured. We found so many of these cases in which large recoveries were had, and when they paid this injured person, after paying those who would go out and collect these cases and take them in to these so-called expert lawyers, pay the doctors, pay everyone connected with the case, the fellow who was actually hurt received very little compensation out of it. That is the fellow we are trying to help by this legislation.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield at that point?

Mr. SPRINGER. I am glad to yield.

Mr. JENNINGS. The gentleman from Indiana has been a judge as well as a practicing lawyer. I call his attention to the apparent effort, in my opinion, to submarine this whole measure, because it is crystal clear, the meaning and the purpose of this proposed amendment is unmistakable:

Under this act—

And I am reading the amendment—

an action may be brought in a district court of the United States in accordance with the provisions of the general venue statute (U. S. Code, 1940 ed., title 28, sec. 112, as amended), applicable to other civil suits except that such

action must be brought in the Federal district court where the plaintiff resides or where the interstate common carrier by railroad operates trains.

Mr. DEVITT. Read all of the amendment.

That last provision means, if it means anything, that he can sue the carrier wherever it may be found.

Mr. SPRINGER. There is no question or doubt about that.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. CARROLL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe that for the purposes of the record it ought to be very clear what is intended by the amendment submitted by the gentleman from Minnesota for the purpose of aiding the court in attempting to interpret the amendment; that the court may have some idea of what the Congress intended and what the gentleman from Minnesota had in mind in the event the amendment is accepted and this bill passes.

We have been discussing the doctrine of forum non conveniens. I think the purpose the gentleman has in mind can be shown by an illustration. For example, let us suppose that an employee injured in Ohio brings his suit in Illinois. The gentleman's amendment means that only in Illinois can the defendant raise the doctrine which has been announced here.

I say to the gentleman from Minnesota that we may be running afoul of another legal doctrine, the doctrine of restraint of oppressive foreign suits. Heretofore the railroads have gone into the local courts, using again the illustration of a man injured in Ohio who brings his suit in Illinois, they have gone into Ohio to stop him, to get the State or Federal Courts of that jurisdiction to restrain the plaintiff from going into Illinois. That has been a common practice of railroad lawyers and railroad defendants.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. CARROLL. I yield to the gentleman.

Mr. FEIGHAN. The illustration the gentleman has cited is in line with the Miles and Kepner cases, namely, that the doctrine of forum non conveniens should not be used to deprive the plaintiff of a right.

Mr. CARROLL. The gentleman is exactly right and that is why I wondered if the gentleman from Minnesota recognized that there is a fundamental difference. The doctrine of restraint of oppressive foreign suits was what the Supreme Court was ruling upon and not the doctrine of forum non conveniens.

Mr. ENGLE of California. Mr. Chairman, will the gentleman yield?

Mr. CARROLL. I yield to the gentleman from California.

Mr. ENGLE of California. I would like to ask the gentleman if he knows whether or not the Supreme Court has passed upon whether the doctrine of forum non conveniens applies in this type of case? Has the Court ever passed upon that question?

Mr. CARROLL. It has not passed upon that doctrine as applied to the Federal Employers Liability Act.

Mr. ENGLE of California. What is going to be the effect of the language of the amendment offered by the gentleman from Minnesota? As I understand his argument it is his intention to restore the law as it existed prior to the Kepner case in 1942; but I am wondering if the gentleman is proceeding on the assumption that the Kepner case does something which it did not do, to wit, deal with the doctrine of forum non conveniens? In other words, he may be opening up these lawsuits to injunctive action such as was the case before, where they brought an injunction in the State of the residence of the plaintiff in order to stop him from suing in another State.

Mr. CARROLL. I am entirely in agreement with the gentleman from California. I think there has been a confusion of different legal principles. The Supreme Court decision has not dealt with the doctrine about which the gentleman speaks and refers to in his amendment but with the equitable doctrine that has really subjected the railroad employees to double suits.

Mr. DEVITT. Mr. Chairman, will the gentleman yield?

Mr. CARROLL. I yield to the gentleman from Minnesota.

Mr. DEVITT. I agree with the gentleman that there is a technical distinction between these two principles. You will probably recall that one of the dissenting judges in one of those cases referred to it as the doctrine of forum non conveniens, although it was the doctrine of oppressive lawsuits.

Mr. CARROLL. That was the dissenting opinion of Justice Jackson and was mere dictum.

Mr. DEVITT. Yes. The objective of my amendment is to return the law to the same status it was prior to these two decisions. Whether you refer to it as the doctrine of forum non conveniens or the doctrine of oppressive lawsuits, it is a technical matter, it makes no difference whether you call it one or the other. What we want to do is to get at the racketeer.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. CARROLL. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DEVITT. Mr. Chairman, may I say to the gentleman it is rather a technical matter whether we call this the doctrine of forum non conveniens or call it the doctrine of oppressive lawsuits.

Mr. CARROLL. The point the gentleman really makes is he does not want to subject the railroad employees to double suits. He wants to apply this doctrine where the suit is brought so the railroad cannot push the employee around from one court to another.

Mr. DEVITT. That is right. I want to restore the law to the same status it had prior to these two Supreme Court decisions. It will be recalled from the

testimony in the record that we did not have this racketeering prior to 1942 or 1943. If the gentleman will examine the record of the hearings, page 138, he will see there the testimony of Mr. Gay, a very estimable lawyer of the United States, also president of the Virginia Bar Association. He was the one, testifying for the railroads, not for the railroad brotherhoods, he is authority for the statement that this racket started in wholesale fashion after the two Supreme Court decisions referred to; so the simplest solution to me seems to be, let us return the law to the status it had prior to that time.

Mr. CARROLL. The gentleman wants to go back to where we were before 1942. The gentleman is not applying the doctrine that he seeks to establish here. He is applying the old doctrine of restraint of oppressive suits, because that is what the railroads have used, going into local jurisdictions, State courts and Federal courts, and restraining the plaintiff from going into any other jurisdiction. The gentleman does not want to do that?

Mr. DEVITT. The intent and purpose of my amendment is to return the law to the status it occupied prior to the Supreme Court decision, label the equity proceeding as you will.

Mr. ENGLE of California. May I ask the gentleman a question, either the gentleman from Colorado or the gentleman from Minnesota. If the amendment is adopted, will it authorize the railroad companies to bring suits for injunction in the plaintiff's own State to enjoin an action brought in another State?

Mr. CARROLL. I would like to answer that question and the gentleman from Minnesota can give me his opinion on it. I think the issue is very important. There has been no clarification by the Supreme Court. Nobody knows what the effect will be, and my judgment is that if this amendment is accepted today, they will resort to the old practice of going into Federal and State jurisdictions to restrain the plaintiff from exercising the rights that are now accorded him under existing law.

As I view the general situation—I believe that H. R. 1602 almost—not quite, but almost takes the railroad employee back to the condition that existed prior to 1910. The truth is this, as touched upon by the gentleman from Alabama, the very able lawyer, Mr. HOBBS. Notwithstanding all of this talk about the concern for the employee, I suspect that the real purpose back of this legislation is to save the railroads hundreds of thousands of dollars. I think that is a logical conclusion. They want to narrow the venue to local areas and, of course, to keep down the amount of money that is paid out to the injured railroad employee or to the widow and family in case of death.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. CARROLL. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.



Mr. CARROLL. I want to say that 90 percent of these cases are settled by compromise. Now, I do not want to take the position of defending ambulance-chasing lawyers. I have been informed that the railroad brotherhoods themselves led the fight in Chicago to disbar an attorney who was guilty of this practice. I do not know whether that was in the record. That is the information that I have received. Experience teaches us that there are a few men in every profession, in every industry, in every walk of life who violate the law and who violate their oath of office. We establish, as best we can, laws and rules of conduct to curb and regulate the illegal and unethical practices of these few individuals. That we should attempt to curb certain unethical practices by limiting the venue and the jurisdiction in which a plaintiff may bring his cause of action is utterly absurd.

As I have indicated before, this is purely an economic fight between the railroads and the railroad employees. The railroads, by this bill, seek to limit the battleground heretofore accorded the employee. If they are successful they will save themselves hundreds of thousands of dollars in the settlement of damage claims. At whose expense will the saving be made? Obviously the railroad employee or, in case of his death, his widow and family. Every lawyer worth his salt knows that the amount of damages awarded in a given case is dependent upon the economic background of each individual juror and the general custom of the community. Therefore, while this Congress should strongly condemn certain unethical practices, it should leave the plaintiff and defendant where it finds them, contesting in that forum which is provided under the general law of the land.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. HOBBS. Mr. Chairman, I move to strike out the last two words.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I yield to the gentleman from Indiana.

Mr. SPRINGER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. FEIGHAN. I object, Mr. Chairman.

Mr. SPRINGER. Mr. Chairman, I move that all debate on the amendment offered by the gentleman from Minnesota and all amendments thereto close in 20 minutes.

The motion was agreed to.

Mr. HOBBS. Mr. Chairman, I rise to set some things in order. I see from the remarks of the gentleman from Colorado [Mr. CARROLL] that he does not know what he is talking about when he accuses me of being a biased partisan of the railroads.

Mr. MacKINNON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MacKINNON. How long is the gentleman from Alabama recognized for?

The CHAIRMAN. The gentleman is recognized for 5 minutes, and his time is not included in the 20 minutes fixed by the Committee.

Mr. HOBBS. I just want to say to the distinguished gentleman that I love him and honor him. There is not a man in this House whose integrity I would impeach. I do not believe he intended adverse intimation when he made that crack about me.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Certainly, sir, I am glad to yield.

Mr. CARROLL. I assure the gentleman it was furthest from my mind. I was commending the gentleman upon his clear presentation. Not for one minute did I imply in any way that the gentleman was supporting the railroad position.

Mr. HOBBS. I thank the gentleman.

I wish to say, just to make my background clear, that I never had a case for a railroad in my life, because they had better lawyers, no doubt. When I came to the bar with a hundred members I could not get corporate employment, and I never was offered a case. I have always been on the other side. Railroads and other corporate defendants have educated my boys and girls, they have fed me and my family by paying judgments rendered against them in favor of my clients. I have made every cent I ever made on the other side of the fence. I have, from time to time, represented every labor union in Alabama. I am still doing business at that stand, and I am still pleading with you not to hurt those men that I sweated blood for during the 15 years, more or less, that I tried to practice law.

I do not want to impeach any man, but I want to say if anybody in this House thinks that the gentleman from New York [Mr. Celler] is overweeningly interested in protecting States' rights, I would appreciate it if he would allow me to eat my hat and buy him a new one. He talks about Alabama's venue statute. There is no use talking about that any more than there is in talking about any other dead horse. We never get any one of these cases in Alabama.

Talk about beginning in 1942. I never will forget when before I came to Congress one of my clients came to me and said, "Judge, there was a man down here from Chicago who has just hired me the best lawyer in the world, but he cannot make me believe that he is as good as you and I want you to go up to Chicago and help us try that case." I said, "I would not do that. It would cost you money for my expenses and railroad fare, to say nothing about my fee. You can get it all by leaving your case in the hands of one good lawyer." He said, "That is what he says. He says he guarantees to get me twice as much as any man in Alabama can get me, but I want you." I said, "Well, if you insist on employing me, I will do my best to see that you get justice." He said, "Oh, oh; that is the last thing I want. If I cannot get

no more than justice out of this thing, I had rather try it at home."

I had another experience when I went on the bench down there. A man came to see me with the deacon's board of the Baptist Church, colored. They told me they wanted to hire me in a certain case that one of their members was bringing. I told them I appreciated their offering me the employment but that I was now on the bench, and probably that case would come before me. He said, "That's exactly what we want. That's the main reason we want to hire you."

Those two true stories illustrate the infamy of this proposition. You are told that you are going to get justice if you go to Chicago. If so, then that is wrong to the defendant, because he can get justice at home, and he can get it more assuredly than in the realm of strangers.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. Chairman, I regret that any bitterness has developed in this debate and that it has been thought necessary by some speakers to say harsh words about the railroads or about the employees or members of the brotherhoods.

Certainly, no one is more anxious for employees who are injured to get every dollar that they deserve than I am. On the other hand, as a member of the bar, I feel there is certainly a duty on the part of the lawyers and on Members of Congress to see that a decent canon of ethics is maintained in the legal profession. As a matter of fact, this controversy really should never have developed. I think the brotherhood in setting up this legal-aid bureau had the best of motives in trying to see that the injured employees and their families were advised of their legal rights. Many employees need to be advised of their legal rights. But the difficulty seems to have been that in some places the thing has gotten out of hand. I have talked with a number of railroad men about this. Some places they operate in a commendable way and advise the employees of their rights, and that is as far as they go. Then, if the services of a lawyer are needed there is no effort made to place the case in the hands of a particular lawyer.

This is a commendable service. But the evidence is that some of these legal-aid lawyers use their position to solicit cases and have developed rackets which must be condemned. Years ago when I was in the active practice I had two unpleasant experiences with lawyers or their agents out of St. Louis who used questionable tactics to procure cases. It seems that this practice has not ceased. Reports from bar associations in Tennessee are that solicitations and violation of the canon of ethics are continuing.

I told some of the brotherhood men many months ago that if they would just have a legal-aid bureau without allowing influence to be used to place the case with particular lawyers that this bill would never be presented. I suggested they should require that the employees make their own selection of attorneys after they had been advised of their legal rights by the legal bureau.

If this were done there would be no demand for this bill. They should have realized that where bar associations all over the United States start complaining about these practices and where it is condemned by the bar associations that it is time to stop, look, and listen. I do not want to place any limitation on where a person can bring a suit if he makes the selection on his own judgment. I do, however, resent some of the practices I know have been taking place, and I feel that some step must be taken to cure the evil.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. MacKinnon].

Mr. MacKinnon. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MacKinnon. Mr. Chairman, did the committee ask for additional time on this amendment?

The CHAIRMAN. The time has been fixed according to the usual custom.

The gentleman is recognized for 3 minutes.

Mr. MacKinnon. Mr. Chairman, I would like to take a moment, not because he needs it, but to tell the gentleman from Minnesota [Mr. Devitt] that he does not need to take any time to defend himself, either here or at home. His record as a judge in my State and as Assistant Attorney General is outstanding. I think it also qualifies the opinion that he holds with respect to this particular amendment which I favor. If you will turn to page 9105 and read the statement made yesterday by the distinguished lawyer from Minnesota, you will see set forth very concisely why this amendment should be adopted at this particular time. Otherwise, what is going to be done here is that the railroads are going to separate the client from the lawyer. That, I think, is the way the bill will work. There has been some talk about the ability of lawyers in the smaller towns. Their ability is unquestioned. But what is also needed in these cases are strong lawyers who can stand up to the best legal talent in America. Attorneys that sue railroads not only have to be good lawyers but they have to be able to hold their breath and they must have a client who is able to hold his breath for a long time, because where substantial sums of money are involved the cases are carried to the courts of last resort, and years go by before litigants receive their money. Both lawyers and litigants have to be strong to obtain justice in such cases.

I think it is very obvious that one of the reasons that the number of these lawsuits come in the larger areas is that the courts are in session the year around. They get speedier justice. What could be any nicer for the railroads than to require that these cases be tried in a smaller town where court meets only once or twice a year? You see the pressure that such delay would exert upon claimants in need of money. Such tactics force many injured persons to settle for much less than they are honestly entitled to.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. MacKinnon] has expired.

The gentleman from Ohio [Mr. Feighan] is recognized for 3 minutes.

Mr. FEIGHAN. Mr. Chairman, I am opposed to this amendment. The sponsor of this amendment pleads that it is necessary to bring back to the Federal courts their power to exercise the doctrine of forum non conveniens in Federal Employers' Liability Act cases. In order to do that, the sponsor, by this amendment, would nullify the decisions in the Miles and Kepner cases. He seems to believe that those cases hold that the Federal courts cannot exercise the doctrine of forum non conveniens in Employer Liability Act cases. If I thought that this proposed amendment were necessary in order to enable a Federal court in an Employers' Liability Act case to apply the doctrine of forum non conveniens, I would favor this amendment, but I do not believe that the amendment is necessary. I think the Federal courts have that power; at least, it has not been determined by the courts that they do not have that power. As a matter of fact, it is only recently, in the case of *Gulf Oil Corp. against Gilbert*, decided by the United States Supreme Court, March 10, 1947, that the Supreme Court has had occasion to decide whether Federal courts have the power to apply the doctrine of forum non conveniens in any type of case.

The most that can be said for Mr. Devitt's position is that the Supreme Court has not as yet settled the question whether the doctrine of forum non conveniens may be applied by Federal courts in Employers Liability Act cases. I do not believe that Congress should invalidate a law that has been on the statute books for more than 37 years in order to solve a problem that may not exist. I believe we should follow a policy of caution and watchful waiting. Congress should not take any action along the lines of this amendment until it has been settled by the courts that the doctrine of forum non conveniens is not applicable in Employers' Liability Act cases in our Federal courts.

The sponsor of this amendment seems to believe that the Kepner and Miles cases hold that a Federal court cannot apply the doctrine of forum non conveniens.

It is my opinion that the gentleman from Minnesota [Mr. Devitt] misinterprets the decision in both cases. In my opinion neither of them concerns the doctrine of forum non conveniens.

These cases merely hold that a State court cannot enjoin a citizen resident of its State from bringing an action under the Federal Employers' Liability Act in a State court of another State or in a Federal district court in another State. The doctrine stated in those cases is the well-known equitable doctrine of restraining oppressive foreign suits; it is a doctrine entirely different from the doctrine of forum non conveniens. The doctrine of forum non conveniens is applied only by the court in which the suit involving the merits of the action under the Federal Employers' Liability Act is before the court. The Miles and Kepner cases did not involve a suit on the merits arising

under the Federal Employers' Liability Act. Those cases involved simply an action brought by the defendant railroad to enjoin the plaintiff railroad employee from bringing his suit on the merits in another State.

What happened in the Miles and Kepner cases, defendant railroad brought injunction suits in the resident State of plaintiff to enjoin his prosecution of suit in another State. In one case the employee's suit had been filed in another State in the Federal court and in the other case it had been filed in the State court. This doctrine enunciated in the Miles and Kepner cases was the equitable doctrine of restraint—just that the home State court held it was not equitable for it to enjoin the resident plaintiff from pursuing his suit in a foreign court, on the ground that the defendant was being harassed.

The doctrine of forum non conveniens is applicable with reference to employer liability acts cases when they are in a State court. The United States Supreme Court so decided in the case of *Douglas v. New Haven Railroad* (279 U. S. 377). The only question which has not been decided by the court is whether or not the doctrine of forum non conveniens is applicable to a suit under the Federal Employers' Liability Act which was brought in a Federal court.

In my opinion, every railroad employee should be vigorously opposed to this amendment. If Mr. Devitt is correct in his contention, and I am not sure that he is, this amendment would nullify the effect of the Miles and Kepner cases. Those cases should not be nullified; they are sound. It would be an undue burden on the injured railroad employee if, having elected the forum most convenient to him, the railroad could, as so aptly stated by Mr. Justice Jackson in the Miles case, "force him to try one lawsuit at home to find out whether he would be allowed to try his principal lawsuit elsewhere."

If the passage of this amendment would cause these Supreme Court decisions to be nullified—and mind you, we cannot know whether that is so until the question has been litigated in all our courts up to the Supreme Court, which will leave the administration of this amendment in confusion and uncertainty for years—if the sponsor of this amendment is right, then this Congress will be subjecting every injured railroad employee in this country from this day forward to the mercy of the railroads; for he will hesitate long before undertaking the burden of litigating two lawsuits. He will by force of economic circumstances feel compelled to take the pittance that will be offered to him by the railroad in settlement of his case.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FEIGHAN. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The time having been fixed by the Committee, the Chair cannot entertain the request.

The gentleman from Illinois [Mr. Owens] is recognized for 3 minutes.



Mr. OWENS. Mr. Chairman, I take this time to try to clarify a few misunderstandings that occurred because of the remarks of the gentleman from Tennessee, the distinguished chairman of the subcommittee. I believe I can speak about the matter because I come from Chicago, which has been mentioned frequently during the course of the remarks, and because I assisted for a number of years in the writing of the Federal rules, to which reference has been made; in fact, at the time I came here I was chairman of the committee on civil practice of the Chicago Bar Association, which assisted in writing the Illinois law to which reference has been made.

I regret very much that the name of any attorney was mentioned during the course of these remarks, because there is nothing in the record to substantiate the statements made by the chairman of the subcommittee. The men who came from Chicago and testified were careful to say "certain attorneys." The fact is those men are now the subject of disbarment proceedings and probably may be disbarred, but until that happens their names should not be mentioned because we always believe in the American rule that a man is innocent until he is proved guilty.

Because these few men have followed the practice of bringing these actions in one city is no reason why the general right should be abolished. I have represented many railroad men, and I do not mean railroad brotherhood unions. Anyone who reads the RECORD of a week ago Wednesday will see that I inserted an article critical of the brotherhood in certain of their actions; but I have represented the individual railroad men. I have helped them with respect to the work of their separate locals. I know that they object to this legislation. They have good reasons for it. Take the case where a member of the family, a son, working on the railroad, is killed in some State, say Colorado, and the father, mother, or whoever has the right to bring the action lives in a different section of the country. They would be unable to bring the action because they are limited to the State where the injury occurred, or where the deceased lived at the time of the occurrence. There are other points just as strong that time does not permit me to bring out.

Let me say in conclusion that I believe the amendment offered by the gentleman from Minnesota would help considerably. If it is not adopted I believe the bill ought to be recommitted to the committee with instructions to write a bill which will be a compromise between the present bill and the Devitt amendment. As the bill now stands its language is not clear. Furthermore, it favors railroads to the detriment of the employees, and it constitutes an interference with the rights of the several States.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The gentleman from California [Mr. Nixon] is recognized for 3 minutes.

Mr. NIXON. Mr. Chairman, I think it is unfortunate that this debate at times has degenerated into charges and countercharges as to who is responsible for

this legislation. The suggestion has been made that the proponents of this legislation are simply the mouthpieces of the railroad lobby. It has also been suggested that those who opposed the legislation were working for the railroad brotherhoods. It is our responsibility under these circumstances to consider this problem strictly upon the facts and they, briefly stated, are these: Normally any corporation can be sued in its principal place of business. That is the situation at the present time with the railroads. The Judiciary Committee found during the course of its hearings that in the case of injured railroad employees various runners, unscrupulous lawyers, and others have solicited these cases and taken them to certain large cities for trial. They have also indulged in practices which have not been in the interest of their clients, or of the defendant railroads.

Something had to be done about that evil. The committee proposed a judicial solution of the problem. It recommended through this bill that we limit the venue in such cases by not allowing a railroad to be sued in its principal place of business except where that was also the place where the plaintiff resided or the accident occurred.

In considering this proposed solution, Mr. Chairman, we must remember two things. First, this approach to controlling such racketeering has not been tried before and we do not know that it will be effective. Unquestionably, the racketeers will make every effort to get around this legislation and will continue to some extent with the practices they are following at the present time. Second, there is substantial objection to the proposed solution on the ground that we are singling out a particular group of plaintiffs and saying to them "You cannot sue the railroads at their principal place of business, except under very special circumstances."

Now, is there any other possible solution less drastic in its effect than the present bill? In my opinion, considering all the facts, the solution offered by the gentleman from Minnesota in his amendment, which has been prepared very carefully, is one we should adopt. It is directed toward controlling the racketeering practices, it does not prejudice the rights of any class of plaintiffs, and it is a reasonable compromise which the House should adopt.

The CHAIRMAN. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, I am impressed with the sincerity of the gentleman who just addressed you. I am entirely in accord with his statement that this amendment, offered by the gentleman from Minnesota, has been prepared with great care. Somebody who was smart, in my opinion, prepared it. It is the composite judgment of the men who are the head and brains of this racket. I do not impugn the gentleman's sincerity who proposed it. I think he has just been misled.

Let us look at this proposed amendment. Here is his proposal. Under this proposed amendment an action may be

brought in a district court of the United States in accordance with the provisions of the general venue statutes of the United States Code of 1940. If you stop there that would have put it right back where it was under the act of 1908. It would compel the plaintiff or the representatives of the estate of the deceased in death cases to go to the county or the Federal district where the railroad had its home office. But here is the trick—this shrewd subterfuge: The jurisdiction of the courts of the United States under this chapter shall become concurrent with that of the courts of the several States.

That means, if it means anything, that any suit brought in a United States district court, under this proposed amendment can be brought under the Federal Employers' Liability Act in any State in the Union, and its author says that would reinstate and make applicable the doctrine of forum non conveniens. No, it would not, for this reason: This amendment, if adopted, is a privilege, a right, granted by the Congress in a proposed act, in a hard-fought battle between the proponents of the bill brought in here by the committee and those who favor this amendment. Now, here is what the Supreme Court said about the power of Congress to fix venue and the inability of the court to change the venue when the court has fixed it:

A privilege of venue granted by the legislative body which created this right of action cannot be frustrated for reason of convenience or expense.

This is the language of Mr. Justice Jackson, of the Supreme Court of the United States.

The able lawyer who drafted this shrewd amendment did it with the object in view of enabling a suit to be brought and prosecuted and maintained to final judgment in any State of the Union. Then my good friend from Minnesota says that when the plaintiff brought his suit in a State distant from his home that the railroad company could, if it so desired, interpose the defense of forum non conveniens. The railroad could not do it. So that if you are in favor of eradicating this racket you should vote against this amendment.

In that connection I wish to say that while I have tried damage suits for more than 40 years, I never represented a railroad company in my life except a little jerk-water road that hauled logs out of the woods and lumber to the main line, and I have a brother who is now an employee of an interstate railroad. I want to stop this racket.

Mr. DEVITT. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Minnesota.

Mr. DEVITT. May I say to the gentleman that this amendment was drafted by me and that it is opposed by the railroad brotherhoods.

Mr. JENNINGS. Well, I think they are kidding you, because if they are smart they are for this amendment.

Mr. DEVITT. They are against it.

Mr. CHADWICK. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Pennsylvania.

Mr. CHADWICK. Does the gentleman remember that in the committee I drafted an amendment directed to exactly the same point of view?

Mr. JENNINGS. I remember my good friend drafting an amendment and we voted it down. But I say to you again if you want to continue the racket and give these racketeers carte blanche authority to go into any State of the Union and bring these lawsuits, vote for the Devitt amendment. If you wish to kill the racket, let us vote it down.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. All time has expired.

The question is on the amendment offered by the gentleman from Minnesota [Mr. DEVITT].

The question was taken; and on a division (demanded by Mr. DEVITT) there were—ayes 41, noes, 57.

Mr. DEVITT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DEVITT and Mr. JENNINGS.

The Committee again divided; and the tellers reported that there were—ayes 61, noes 106.

So the amendment was rejected.

Mr. BEALL. Mr. Chairman, I move to strike out the last word.

The bill H. R. 1639, now before the House for consideration, is said by its sponsors to be aimed at the correction of violations of professional ethics on the part of a few members of the bar in handling cases under the Federal Employers' Liability Act. I have read the bill. But I cannot find that there is any provision in the bill which would bring about the disbarment of a single unethical lawyer; nor is there any provision in the bill which would exclude such lawyers from practice in Federal Employers' Liability Act cases.

The most that can be said for the bill is that it may make it more inconvenient for such lawyers, and thus add to the expenses claimants would have to bear. If this bill becomes law the poor railroad employee may well be burdened with the expense of hiring two lawyers—the legal specialist to travel to the scene of the accident or residence of the claimant to try the case and a local attorney familiar with the local practice to assist in the trying of the case. If these racketeering lawyers are as bad as the proponents of this bill say they are they certainly will not be discouraged from seeking the business and the large speculative fees merely because they have to try the case away from the jurisdiction in which their offices are located.

It should be obvious that the more appropriate means of obtaining the objective of this bill lies in the use of the customary machinery for professional discipline. That disbarment machinery is not only more appropriate; it can also be more effective. The hearings show that lawyers have in fact already been disbarred for unethical practices in the handling of Federal Employers' Liability Act cases. It is up to our bar associations to be vigilant in protecting litigants from racketeering attorneys. It should not be the policy of Congress to

participate in any attempt to determine the proper distribution of the law business throughout the country. It should not be our interest to use our legislative power as a means of gaining more law business for local lawyers in outlying communities, at the very dear price of discriminating, as this bill so clearly does, against the rights of such large groups of litigants as would be adversely affected by this bill. Particularly is this true when to do so must result in such widespread interference with the judicial business of the States in matters which are purely State matters.

I fear that the Members of this House have not fully grasped the significance and far-reaching effects of this bill. Does the membership realize to what extent this bill would interfere with the sovereign rights of the States to regulate their own judicial business? This bill, my friends, would attempt to tell the States in which of their courts suits can be brought by railroad passengers, users of the highways, and others than railroad employees who may sustain injuries by the operation of railroads, notwithstanding the fact that such suits have their roots not in any Federal statute subject to our legislative jurisdiction, but in the common law of the States.

For the Federal Government to prescribe the courts of a State in which suit may be brought is an encroachment upon subject matter that should be left exclusively to determination by State law. If this bill were enacted it would immediately disrupt the venue legislation of each of the States. For this bill provides that suits for personal injuries brought against railroads in State courts can only be brought in the county in which the action arose or in which the claimant resides. Therefore, actions for personal injury brought by employees of industries other than the railroad industry, such, for instance, as employees of the motor transportation industry, and suits brought against railroads by others than personal injury claimants, as well as all other actions cognizable in the State courts, would continue to be governed by the policy which the States have formulated in their State statutes for the distribution of judicial business in their courts, but that policy would be completely abrogated so far as personal injury suits against railroads are concerned. Such an attempt to regulate the venue in State courts may well be an invasion of the sovereign powers of the States that could not be sustained in the courts.

The Clerk read as follows:

SEC. 2. Section 51 of the Judicial Code, as amended (title 28, U. S. C., sec. 112), is amended by adding at the end thereof a new paragraph as follows:

"A civil suit for damages for wrongful death or personal injuries against any interstate common carrier by railroad may be brought only in a district court of the United States or in a State court of competent jurisdiction, in the district or county (parish), respectively, in which the cause of action arose, or where the person suffering death or injury resided at the time it arose: *Provided*, That if the defendant cannot be served with process issuing out of any of the courts afore-mentioned, then, and only

then, the action may be brought in a district court of the United States, or in a State court of competent jurisdiction, at any place where the defendant shall be doing business at the time of the institution of said action."

Mr. OWENS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OWENS: On page 3, line 4, after "or" strike out "where the person suffering death or injury resided" and insert "in the domicile of the plaintiff in interest."

Mr. OWENS. Mr. Chairman, when I spoke a few moments ago I mentioned that there were a few points wrong with the bill that I thought should be corrected. That is the reason I have offered this amendment. At this point, on page 3, the bill reads: "where the person suffering death or injury resided at the time it arose." A person may have several different places of residence. For that reason, conflict could easily arise as to where his residence might be at the time of his injury or death. The gentleman from Arkansas [Mr. CRAVENS] yesterday mentioned to me that the committee meant domicile in the use of that word. When you mean a certain thing and can make the bill understandable, the best thing to do is to use the proper word. Therefore, in place of the word "resided," I am using the word "domiciled." A man can have only one domicile, and that means the place where he actually has his home at the time of injury or death.

The other point is this. It says where the person suffering death or injury resided at the time it arose. It says "death," and frequently in these railroad injury cases the employee actually is killed. That means that the action is brought by the next of kin. Often, it is a son who is killed, and the mother or father living in a different State or the brother or sister or whoever it might happen to be, brings the action. Therefore, I use the words "plaintiff in interest," because if a man actually lives, he brings the cause of action himself in his own domicile, but if he dies the action is brought by the next of kin, who might be the mother, the father, the sister, the brother, or other relative. It is only right and just that they should be permitted to bring the action in their domicile and not in the domicile of the one who was killed. It is merely a clarifying amendment and I believe the point needs no further argument.

Mr. JENNINGS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this bill H. R. 1639 which the committee reported to the House was carefully drawn to stop the solicitation of and transportation of lawsuits to distant States. This amendment will make it possible to continue that practice. The bill as reported by the committee says that the suit shall be brought in the district or county, respectively, in which the cause of action arose or where the person suffering death or injury resided at the time of the accident.

That makes it impossible for these fellows from Chicago, Minneapolis, St. Paul, St. Louis, Los Angeles, and Oakland in California, and New York to



go to the person who is injured and say, "You have a good lawsuit. We will give you \$500 to start with. We will move you to St. Louis or one of these other big cities where the racket is carried on and put you up in a hotel and take care of you until your case is tried." That is exactly what they do. They have hotel rooms leased and residences containing 20 rooms in which they lodge their victims. They say, "We will maintain you there until your lawsuit is tried, and then we will take the money we have thus spent for you out of the proceeds of the lawsuit." That is exactly what this amendment would enable them to do. For that reason, it ought to be voted down.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. OWENS. When you used the word "reside," did you mean "domicile"?

Mr. JENNINGS. I mean just exactly what I said. I said where a man lived at the time he was hurt or in the place where he was injured or killed. Your amendment would mean that after the employee has been hurt somebody could buy his lawsuit, transport him across the continent, maintain him, and bring the case in a foreign forum. The amendment should be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. OWENS].

The question was taken; and on a division (demanded by Mr. OWENS) there were—ayes 20, noes 58.

So the amendment was rejected.

Mr. CASE of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of New Jersey: On page 3, line 3, strike out the words "county, parish" and insert the word "State."

Mr. CASE of New Jersey. Mr. Chairman, this amendment is a very simple one. Instead of requiring that suits be brought in the district or parish where the accident occurred, or where the person resides, it provides it may be brought anywhere in the State. It seems to me that the bill as reported is too restrictive. All of us, I think, recognize the evil that has grown up. The gentleman from Minnesota [Mr. DEWITT] attempted to attack it in one way, which I thought sound. A majority of the committee disagreed. I offer this as an alternative method of attack, which I think will be effective.

Under our concept, the lawyers of the State are governed by the courts of that State, and by the State bar associations, especially in those States where we have an integrated bar, in which the discipline of the members of the bar is under the supervision of the courts and there is a very effective way of remedying rackets in the practice of the law and in the trial of lawsuits. That movement is spreading and should be encouraged.

I think we should give the State bar association and the State courts adequate power to deal with this racket, as we will if we limit State court suits to the State of the residence of the plain-

tiff or the State where the accident occurs.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. CASE of New Jersey. I yield.

Mr. FEIGHAN. I take it that the acceptance of your amendment would resolve any doubts as to the constitutional question of interference with the venue jurisdiction of the States—interference with the judicial business of the States.

Mr. CASE of New Jersey. I think it would have that effect.

Mr. COMBS. Mr. Chairman, will the gentleman yield?

Mr. CASE of New Jersey. I yield.

Mr. COMBS. May I ask the gentleman would his amendment leave the State free to determine by its own venue statutes where within that State the suit would be filed, or should your amendment go a little further and say in accordance with the venue statutes of the State?

Mr. CASE of New Jersey. I think the amendment as it is presented will have the effect the gentleman desires. However, I would have no objection to a further amendment to it, but I do not think it is necessary.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. CASE of New Jersey. I yield.

Mr. JENNINGS. This is an act of Congress. Congress extends this right of action under the Federal Employers' Liability Act, but under your amendment you will have a State-wide racket instead of a Nation-wide racket. Why not let the local people handle these affairs?

Mr. CASE of New Jersey. It seems to me this is a matter where the States can and should control it themselves. I do not think we should unduly restrict plaintiffs in this sort of action.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. CASE] has expired.

Mr. HOBBS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, one of the best men in this House is CLIFF CASE, a sound lawyer, an honest and lovable gentleman. His proposal is much better than what we now have, a Nation-wide racket. This would limit it to a State. But it is not fair to stop there. Not to minimize a racket but to extirpate it is the purpose of this bill.

There are no Knoxville suits filed in Tennessee now, but pass this amendment and they would take them all to Memphis, 600 miles from Knoxville where the railroad center at the east end is. The claimants in Illinois all would go to Chicago, not just 92 percent to three lawyers, but pass this amendment and they would get the other 8 percent in addition. The same would be true of St. Paul and Minneapolis. It just means that in these five centers in which this iniquity now flourishes it would continue to flourish but only insofar as the State lines went.

Mr. COMBS. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am always glad to yield to the distinguished gentleman from Texas.

Mr. COMBS. If I understand what the gentleman means it would reduce the racket from a Nation-wide scale to the limits of a State. I am wondering if under the proposed amendment that result would not depend on the jurisdictional statutes of the State; to use the gentleman's illustration, whether or not under the amendment the question of whether a suit could be carried from Knoxville to Memphis, is not within the control of the Legislature of Tennessee which could amend its own venue statutes to prevent that sort of thing? I just want to raise that question.

Mr. HOBBS. I am just as cordially in favor of States' rights as a man can be. I am just as cordially in favor of local self-government as a man can be, having sat at the feet of Judge Hatton Summers ever since I have been here; but I am saying I doubt if Congress has any right to intrude and dictate to a State what statute of venue it should enact. On the other hand I do not believe any State has any jurisdiction to dictate to the Congress what the Congress shall write in a Federal venue statute regulating a federally granted right of action.

Mr. COMBS. In other words, what the gentleman is saying is that under the proposed amendment the State venue statutes would apply to suits filed in any county of the State.

Mr. HOBBS. That is right, and they make their selection. It would simply limit and narrow the confines of their racket.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I shall be so happy to yield to the distinguished gentleman from Ohio.

Mr. FEIGHAN. We are in the substitute bill telling the people of every State that they can sue only in a particular parish or county. If this amendment were passed, we would be giving them only the same rights to sue a railroad as they are given to sue any other corporation.

Mr. HOBBS. That is right. We have the perfect right to do it because we are talking about a right that we created. We can establish the venue, and I am perfectly sure that the gentleman would not say that this was not within the constitutional power of Congress, since we have unlimited power to regulate interstate commerce.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I shall be so happy to yield to the distinguished gentleman from New York.

Mr. CELLER. Is it exactly correct to say we, the Congress, created that right?

Mr. HOBBS. I do not mean that we do it except through law we write, and I think that is perfectly accurate.

Mr. CELLER. Does it not come from the common law?

Mr. HOBBS. No, sir.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. CASE].

The question was taken; and on a division (demanded by Mr. CASE of New Jersey) there were—ayes 51, noes 49.

Mr. SPRINGER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. SPRINGER and Mr. CASE of New Jersey.

The Committee again divided; and the tellers reported that there were—ayes 76, noes 76.

So the amendment was rejected.

Mr. MacKINNON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MacKINNON: On page 3, line 5, after "arose", strike out the colon and the remainder of the line, and all of lines 6, 7, 8, 9, 10, and 11, and insert "or where the railroad maintains its principal place of business."

Mr. MacKINNON. Mr. Chairman, the amendment now presented to the committee would add the right to sue a railroad corporation at its principal place of business. I submit that any legislation upon this subject that denies that fundamental right is not worth the paper it is written on. Every other corporation in America can be sued at its principal place of business, and I submit that that right ought to exist with respect to railroad corporations.

I can support this legislation with this amendment. I cannot support it without it. I cannot favor any proposition that would lay down an entirely different rule for a railroad corporation with respect to being sued at its principal place of business. I submit that not one single sound argument has been presented in all this discussion to deny a person that one right that every litigant now has against every other corporation in America.

Mr. JENNINGS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do this for the purpose of showing just what the effect of this proposed amendment is. Under the provisions of the bill as reported by the committee, if the plaintiff cannot get service on the defendant he has sued in the county or district where he the plaintiff, resided at the time of the injury or where the accident occurred, then he can sue the defendant anywhere where he can get service on him. This amendment offered by the gentleman from Minnesota would require the plaintiff to go to the few home offices of the railroads. Say there are 12 great transcontinental or interstate railroads, for illustration, and each of them has a home office on the west coast or on the east coast, this would require the plaintiff to go across the continent to the home office of the defendant he has sued and this would establish another market place for the disposition of solicited, purchased, and transported lawsuits. I am amazed that the gentleman would offer that kind of an amendment. It should be defeated.

Mr. MacKINNON. Mr. Chairman, the gentleman from Tennessee has almost completely misstated the effect of my proposed amendment. In truth, my proposed amendment would merely add the principal place of the corporation's business as an additional forum to the place of the accident and to the residence of the plaintiff. It would provide three

places where the suit might be brought instead of two, and I submit the principal place of the corporation's business is the most proper forum for the trial of these cases.

Mr. Chairman, I ask unanimous consent to proceed for 1 minute.

Mr. FOGARTY. I object, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. MacKINNON].

The amendment was rejected.

The Clerk read as follows:

SEC. 3. If any provision of this act or the application thereof to any person or circumstances is held invalid, the remainder of the act and the application of such provision to other persons or circumstances, shall not be affected thereby.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CURTIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1639) to amend the Employers' Liability Act so as to limit venue in actions brought in the United States district courts or in State courts under such act, pursuant to House Resolution 270, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. CELLER. Mr. Speaker, I offer a motion to recommit. I am opposed to the bill.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

Mr. CELLER moves to recommit the bill H. R. 1639 to the Committee on the Judiciary.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. CELLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 133, noes 109.

Mr. CELLER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 203, nays 188, answered "present" 1, not voting, 38, as follows:

[Roll No. 114]

YEAS—203

Albert	Gamble	Morrow
Allen, Calif.	Gary	Meyer
Allen, Ill.	Gathings	Michener
Allen, La.	Gavin	Miller, Conn.
Almond	Gillette	Miller, Md.
Anderson, Calif.	Gillie	Miller, Nebr.
Andrews, Ala.	Goff	Mills
Andrews, N. Y.	Goodwin	Mitchell
Arends	Gore	Monroney
Bakewell	Gossett	Morris
Barden	Halleck	Muhlenberg
Barrett	Grant, Ala.	Mundt
Battle	Grant, Ind.	Murray, Tenn.
Bell	Gregory	Pace
Boggs, Del.	Gross	Passman
Bolton	Gwinn, N. Y.	Feden
Bonner	Hall	Phillips, Tenn.
Boykin	Leonard W.	Ploeser
Bradley	Halleck	Plumley
Brown, Ga.	Hardy	Peage
Brown, Ohio	Harless, Ariz.	Potts
Bryson	Harness, Ind.	Preston
Buck	Farris	Price, Fla.
Buffett	Harrison	Priest
Bu'winkle	Hartley	Rains
Burleson	Hedrick	Ramey
Busbey	Hess	Rayburn
Byrnes, Wis.	Hill	Reed, N. Y.
Camp	Hinshaw	Roes
Carson	Hobbs	Rich
Case, S. Dak.	Hoffman	Richards
Chapman	Hope	Riehlman
Chelf	Horan	Rizley
Chenoweth	Howell	Robertson
Church	Jarman	Rockwell
Clark	Jenison	Rogers, Fla.
Clevenger	Jenkins, Ohio	Rohrbough
Coffin	Jennings	Ross
Combs	Johnson, Ill.	Schwabe, Okla.
Cooley	Johnson, Ind.	Scrivner
Cooper	Johnson, Okla.	Short
Cotton	Jones, Ala.	Simpson, Pa.
Courtney	Jones, N. C.	Smith, Kans.
Cox	Jonkman	Smith, Va.
Cravens	Kearns	Smith, Wis.
Crow	Keefe	Springer
Curtis	Kefauver	Stanley
Dague	Kerr	Stefan
Davis, Ga.	Kilburn	Stevenson
Davis, Tenn.	Kilday	Stigler
Davis, Wis.	Kunkel	Stockman
Dirksen	Lanham	Sundstrom
Dolliver	Larcade	Taber
Domengeaux	Latham	Teague
Dorn	LeFevre	Thomas, N. J.
Doughton	Love	Thomason
Drewry	Lucas	Tibbott
Durham	Lyle	Towe
Eaton	McConnell	Vorys
Elliott	McCowan	Wadsworth
Ellis	McDonough	Weichel
Elston	McDowell	West
Evins	McGregor	Wheeler
Fellows	McMillan, S. C.	Whittington
Fisher	McMillen, Ill.	Wilson, Ind.
Fletcher	Maloney	Wilson, Tex.
Folger	Manasco	Wood
Gallagher	Meade, Md.	Woodruff

NAYS—188

Abernethy	Burke	Dingell
Andersen,	Butler	Dondero
H. Carl	Byrne, N. Y.	Donohue
Angell	Canfield	Douglas
Arnold	Cannon	Eberhart
Auchincloss	Carroll	Ellsworth
Banta	Case, N. J.	Elsaesser
Bates, Ky.	Celler	Engel, Mich.
Bates, Mass.	Chipperfield	Engle, Calif.
Beall	Clason	Fallon
Beckworth	Cole, N. Y.	Feighan
Bender	Colmer	Fenton
Bennett, Mo.	Corbett	Fernandez
Bishop	Crawford	Flannagan
Blackney	Crosser	Fogarty
Blatnik	Cunningham	Foote
Bloom	Dawson, Ill.	Forand
Bramblett	Dawson, Utah	Fulton
Brehm	Deane	Gearhart
Brooks	Delaney	Gordon
Brophy	Devitt	Gorski
Buchanan	D'Ewart	Granger



Griffiths	McMahon	Sabath
Hagen	Mack	Sadlak
Hale	MacKinnon	Sadowski
Hand	Madden	St. George
Hart	Mahon	Sanborn
Havener	Mansfield	Sarbacher
Heffernan	Marcantonio	Sasscer
Hendricks	Martin, Iowa	Schwabe, Mo.
Hertel	Mason	Scoblick
Heseltun	Mathews	Scott
Hoeven	Meade, Ky.	Hugh D., Jr.
Holmes	Miller, Calif.	Seely-Brown
Huber	Morgan	Shafer
Hull	Morrison	Sikes
Jackson, Calif.	Morton	Simpson, Ill.
Jackson, Wash.	Murray, Wis.	Smathers
Javits	Nixon	Smith, Maine
Jenkins, Pa.	Nodar	Somers
Jensen	Norblad	Spence
Johnson, Calif.	Norrell	Stratton
Jones, Wash.	Norton	Talle
Judd	O'Brien	Taylor
Karsten, Mo.	O'Hara	Thomas, Tex.
Kean	O'Konski	Tollefson
Kearney	Owens	Trimble
Kennedy	Patterson	Twyman
Keogh	Peterson	Vail
Kersten, Wis.	Pfeifer	Van Zandt
King	Philbin	Vursell
Klein	Pickett	Walter
Knutson	Poulson	Welch
Landis	Price, Ill.	Whitten
Lane	Rabin	Wigglesworth
LeCompte	Rankin	Williams
Lemke	Rayfield	Winstead
Lesinski	Redden	Wolcott
Lewis	Reed, Ill.	Wolverton
Lodge	Reeves	Worley
Lusk	Robison	Youngblood
Lynch	Rogers, Mass.	Zimmerman
McCormack	Rooney	
McGarvey	Russell	

## ANSWERED "PRESENT"—1

Keating

## NOT VOTING—38

Andresen,	Gwynne, Iowa	Murdock
August H.	Hall,	O'Toole
Bennett, Mich.	Edwin Arthur	Patman
Bland	Hays	Phillips, Calif.
Boggs, La.	Hébert	Powell
Buckley	Hollifield	Riley
Chadwick	Johnson, Tex.	Rivers
Clements	Jones, Ohio	Scott, Hardie
Clippinger	Kee	Sheppard
Cole, Kans.	Kelley	Smith, Ohio
Cole, Mo.	Kirwan	Snyder
Coudert	Lea	Vinson
Fuller	Ludlow	
Gifford	Macy	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Vinson for, with Mr. Kelley against.  
Mr. Snyder for, with Mr. Sheppard against.  
Mr. Hébert for, with Mr. Kirwan against.  
Mr. Macy for, with Mr. Powell against.  
Mr. Riley for, with Mr. Hollifield against.

General pairs until further notice:

Mr. Jones of Ohio with Mr. Boggs of Louisiana.  
Mr. Chadwick with Mr. Rivers.  
Mr. Gifford with Mr. Murdock.  
Mr. Cole of Missouri with Mr. Hays.  
Mr. Gwynne of Iowa with Mr. Bland.  
Mr. Bennett of Michigan with Mr. Kee.  
Mr. Coudert with Mr. Patman.  
Mr. Clippinger with Mr. Ludlow.  
Mr. Smith of Ohio with Mr. Buckley.  
Mr. Hardie Scott with Mr. Johnson of Texas.  
Mr. Edwin Arthur Hall with Mr. Lea.  
Mr. Phillips of California with Mr. Clements.

Mr. NODAR, Mr. MCGARVEY, and Mr. SANBORN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to provide the venue in actions brought in the United States district courts or in State courts against inter-

state common carriers by railroad for damages for wrongful death or personal injuries."

A motion to reconsider was laid on the table.

## DEFICIENCY APPROPRIATION BILL

Mr. TABER. Mr. Speaker, I ask unanimous consent that when the deficiency bill is reported it may be in order to take it up forthwith, whenever possible; that all points of order may be considered as waived; that general debate shall continue for not to exceed 3 hours, one-half the time to be controlled by the gentleman from Missouri [Mr. CANNON], and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

Mr. CANNON. Mr. Speaker, reserving the right to object, this is the bill carrying funds for the Greek and Turkish loan, and for foreign relief?

Mr. TABER. Yes, it is.

Mr. CANNON. The items in the bill which would be subject to points of order are necessary for the adequate administration of the appropriation?

Mr. TABER. That is correct.

Mr. CANNON. We have no objection on this side, Mr. Speaker, to any action to expedite consideration of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

## JOINT COMMITTEE ON LABOR-MANAGEMENT RELATIONS

The SPEAKER. Pursuant to the provisions of title 4, Public Law 101, Eightieth Congress, the Chair appoints as members of the Joint Committee on Labor-Management Relations the following Members on the part of the House: Mr. HARTLEY, Mr. LANDIS, Mr. HOFFMAN, Mr. McCOWEN, Mr. LESINSKI, Mr. BARDEN, and Mr. KELLEY.

## NATIONAL AVIATION COUNCIL

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 3587, an act to establish a National Aviation Council for the purpose of unifying and clarifying national policies relating to aviation, and for other purposes, with Senate amendments, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears none and appoints the following conferees: Mr. WOLVERTON, Mr. HINSHAW, Mr. HOWELL, Mr. BULWINKLE, and Mr. PRIEST.

## DEPARTMENT OF AGRICULTURE APPROPRIATION BILL

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Agriculture Department appropriations may have until midnight tonight to file a conference report on the bill H. R. 3601.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

Mr. CANNON. Mr. Speaker, reserving the right to object, will the gentleman tell us when it is expected to call up this conference report?

Mr. DIRKSEN. The first thing tomorrow morning. It is my understanding that the House will meet at 10 o'clock tomorrow.

Mr. CANNON. The conference report will be the first order of business on Friday morning?

Mr. DIRKSEN. So I am presently advised. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

## AMENDING ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 1448, an act to amend section 7 of an act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes, approved July 1, 1902, with a Senate amendment, and concur in the Senate amendment, which is simply a clarifying amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 10, after "dwellings", insert "nor, for a rooming house offering accommodations for no more than four roomers."

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, and I shall not object, I wanted to ask the gentleman from Illinois in connection with the Department of Agriculture Appropriation bill conference report if he can advise the House what specific matters are still in disagreement and will come up on specific questions tomorrow.

Mr. DIRKSEN. I am not sure that the chairman of the committee is empowered with authority to make such a statement.

Mr. McCORMACK. Very well, I withdraw it. I appreciate the gentleman's position. I would not want to ask the gentleman any question that he feels, under the circumstances he could not, without consulting others, answer.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

## DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 3864, an act to amend the District of Columbia Unemployment Compensation Act with respect to contribution rates after termination of military service, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 3, line 6, strike out "be considered to have been erroneously collected" and insert "be subject to adjustment against subsequent contributions by him."

Page 3, lines 11 and 12, strike out "or a refund."

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

#### PERMISSION TO VARIOUS COMMITTEES TO SIT DURING SESSIONS OF HOUSE

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Home Rule of the District of Columbia may sit during sessions of the House tomorrow morning.

The SPEAKER. During general debate?

Mr. DIRKSEN. I so modify my request.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Also, that on Saturday morning a special committee of the Committee on the District of Columbia may sit during sessions of the House.

The SPEAKER. During general debate?

Mr. DIRKSEN. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may sit during general debate during sessions of the House tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may sit tomorrow during sessions of the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### EXTENSION OF REMARKS

Mr. LUCAS, Mr. FISHER, and Mr. BURLESON asked and were given permission to extend their remarks in the Appendix of the RECORD on the subject of the President's flood-control program.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include a table from the Tariff Commission.

Mr. GWINN of New York asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein two letters on military training.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. ARNOLD asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. MCCORMACK asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. SHORT asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

#### ADJUDICATION OF CERTAIN CLAIMS RESULTING FROM EVACUATION OF CERTAIN PERSONS OF JAPANESE ANCESTRY UNDER MILITARY ORDERS

Mr. BROWN of Ohio, from the Committee on Rules, reported the following privileged resolution (H. Res. 305) providing for the consideration of the bill (H. R. 3999) to authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders (Rept. No. 970), which was referred to the House Calendar and ordered printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3999) to authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

#### NATIONAL SCIENCE FOUNDATION ACT OF 1947

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 526) to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes, with a House amendment thereto and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WOLVERTON, HINSHAW, HOWELL, PRIEST, and HARRIS.

#### TERMINATING CERTAIN EMERGENCY AND WAR POWERS

Mr. BROWN of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 288 providing for the consideration of the joint resolution (S. J. Res. 123) to terminate certain emergency and war powers.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in

order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (S. J. Res. 123) to terminate certain emergency and war powers, and all points of order against said joint resolution are hereby waived. That after general debate, which shall be confined to the joint resolution and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. Speaker, House Resolution 208 makes in order the consideration for 1 hour of Senate Joint Resolution 123, which is a joint resolution to terminate certain emergency and war powers. This seems to be an agreed measure. My understanding is there is no controversy on the matter whatsoever and probably could be passed by the House by unanimous consent. However, a rule has been granted. I do not intend to take any further time to discuss the matter because I believe we will save a great deal of time by simply reporting the resolution.

Mr. SABATH. Mr. Speaker, as has been stated, this resolution repeals and terminates certain emergency and war powers which were needed during wartime. I think the time has arrived whereby these laws are no longer necessary. I have no opposition to the rule nor to the bill and I have no further requests for time on this side.

Mr. BROWN of Ohio. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. MICHENER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of Senate Joint Resolution 123 to terminate certain emergency and war powers.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of Senate Joint Resolution 123, with Mr. HERTER in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

Mr. MICHENER. Mr. Chairman, the committee reported this bill unanimously. The work on the bill was done chiefly by the gentleman from Indiana [Mr. SPRINGER] and his subcommittee. It is a very technical bill, and nothing will be gained by formally reading it at any stage of the proceedings. The bill contains many legal citations and references. His committee has checked



and rechecked all the citations of statutes which are repealed. Every one of these emergency laws are pronounced by the departments executing them to be needed no longer. Remember, these are statutes and not powers granted by the First and Second War Powers Acts. This bill deals with needless laws which are no longer necessary. No one is opposing this bill.

I yield to the gentleman from Indiana [Mr. SPRINGER] to make such explanation as he desires to make.

Mr. SPRINGER. Mr. Chairman, I will make a brief explanation of this measure to the House. Those who were here last year will recall that we passed H. R. 7147, which was a measure to repeal quite a number of war statutes which were passed for the purpose of implementing the war. Since that time quite a number of additional statutes have become outmoded and obsolete and unnecessary; so when this bill came over from the Senate we started working on it in Subcommittee No. 4 of the Committee on the Judiciary, and we have spent in all, I think, about 5 weeks working on it. The gentleman from Arkansas [Mr. CRAVENS] spent quite a lot of time on this measure, and he has done a splendid service in this respect, and we have finally worked out, with the Attorney General and three of his assistants, in conjunction with the heads of the various departments of our Government a measure, which is represented by Senate Joint Resolution 123, that is practically complete so far as we can now determine.

I hope each Member of the House will get a copy of the report on this bill which consists of some 40 printed pages. It contains cross references to the lines and pages of the bill and shows just exactly what particular law is affected by each particular item of repeal contained in the measure.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. In looking over the joint resolution, I fail to find where section 300 (a), which gives the Chief Executive power to freeze appropriations passed by Congress, has been annulled. I am wondering if the gentleman feels that the section giving him that executive power has not been outmoded now and is no longer necessary since the war is over.

Mr. SPRINGER. May I say that I am rather in complete accord with what the gentleman has said. I think perhaps that policy has been outmoded, but that provision of law is not contained in this particular measure.

May I say this, that there are a number of these statutes which must be repealed after we finish with this repeal measure, and those that are omitted from this particular measure will be included in the measure that will follow it.

May I say to the membership that when we began working on this list we found that there were some 960 special statutes that were enacted for the purpose of implementing the war. Quite a number of them were repealed in the

repealer last year, and some of them were taken out when we amended the Second War Powers Act. Some of them were eliminated or their usefulness was entirely eliminated when the hostilities were terminated, and more recently, when the Second War Powers Act was again amended, and this repeal measure will take care of something like 193 special statutes which are still in force and which are unnecessary.

If there are any other questions, I will be glad to answer them at this time. However, by reason of the importance and highly technical nature of this measure, but few are qualified to speak upon it. We have examined a very large number of statutes in arriving at our decision on this measure and it is the considered judgment of the office of the Attorney General and the departments of Government, as well as the members of Subcommittee No. 4 of the Committee on the Judiciary, that this measure meets the present demand on this issue. It is my hope that this measure will be promptly and unanimously passed by the House.

Mr. MICHENER. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, Senate Joint Resolution 123 has for its purpose the repeal of many wartime statutes. This is all to the good and I compliment the committee for bringing in a bill which terminates certain war powers of the Chief Executive and the agencies of Government.

During the war it was necessary to delegate a great deal of authority to the Chief Executive. Now that the war has been over nearly 2 years, it would certainly seem time to put an end to specific war-emergency statutes. I understand the committee has worked closely with the Attorney General's office and that the bill now presented terminates the obsolete, outmoded, and unneeded statutes that were in effect during the period of the war.

The chairman of the committee will remember that shortly after the fighting finished I introduced legislation which came before the Judiciary Committee which would not only declare the war officially ended but would terminate many of these wartime powers. In examining this particular piece of legislation I fail to find where the committee has nullified the power of the Chief Executive to freeze and make inoperative appropriation bills as passed by this Congress. I have a resolution before the Committee on Public Works, which would accomplish the purpose I have in mind and reads as follows:

Resolution to provide that Federal public works projects and programs shall be carried out to the full extent authorized by law

Resolved, etc., That, notwithstanding any moratorium or curtailment policy heretofore put into effect at the direction of the President, it shall be the duty of all officers, departments, and agencies of the Government to proceed, to the full extent authorized by law and the limit of present appropriations, with all Federal public works projects and programs coming under their jurisdiction.

My colleagues will remember that the day after the Congress adjourned in 1946 the Chief Executive saw fit to freeze certain funds designated for public works. This included funds for flood control, airports, irrigation projects, and many other worthy undertakings which previously had had his approval. The facts will show that when the bill for public works was sent to him, which included flood control and irrigation, he signed it in the presence of a score of Members of Congress and handed each of them a pen and remarked, "This is a great stride forward." Gentlemen, this stride was stopped in its tracks the day Congress adjourned because the Chief Executive saw fit to freeze these appropriations. Today we find that Congress and even the President feverishly working and asking for more appropriations for flood control and soil conservation. Is it possible that he might freeze this appropriation after Congress adjourns?

If he can freeze and nullify appropriations for flood control and irrigation he can do the same thing to other appropriations. It seems to me that this power, which I believe he claims under section 300 (a) of the Second War Powers Act, is entirely too much authority for the Chief Executive to have in times of peace. I am disappointed that the committee did not see fit to relieve the Chief Executive of the authority he apparently still retains to nullify any part or all of an appropriation bill. I would ask the chairman of the committee what his understanding might be relative to continuing this power of the President. Does he still have the power or has it been repealed?

Mr. SPRINGER. As the gentleman knows, Senate Joint Resolution 123 came from the Senate. They have evidently given no consideration to that matter. At the same time, they had been working with the Attorney General and with the deputies in that office for quite a long period of time when the bill finally came to us. When we received it we began working with those same gentlemen. We continued this work over a period of some 3 or 4 weeks, analyzing the particular statutes. May I say to the distinguished gentleman from Nebraska that in that examination we examined something over 1,000 statutes in order to determine which statutes should be repealed, which should be kept in part, and which should be kept in full for a short period of time. No doubt the gentleman will receive the relief he desires in a short time.

Mr. MILLER of Nebraska. I appreciate the chairman's explanations and the work the committee did do on wiping out some of the unnecessary delegated war powers in this bill. I am hopeful that a further examination will indicate that the authority that I have cited may also be discontinued if still in effect.

The CHAIRMAN. The Clerk will read the joint resolution for amendment.

The Clerk read as follows:

Resolved, etc., That the following statutory provisions are hereby repealed:

Act of June 10, 1942 (56 Stat. 351);

Section 207, title II, act of September 21, 1944 (58 Stat. 736);

Act of March 5, 1940 (54 Stat. 45), as amended;

Section 609, act of July 1, 1944 (58 Stat. 714, ch. 373);

Act of October 1, 1942 (56 Stat. 763, ch. 573);

Sections 2, 3, and 4, act of July 8, 1942 (56 Stat. 649);

Act of April 16, 1943 (57 Stat. 65), as amended;

Act of September 29, 1942 (56 Stat. 760);

Section 61 (b) of the National Defense Act of June 3, 1916, as added by the act of June 26, 1944 (58 Stat. 359, ch. 279);

Section 21 of the act of February 16, 1914 (38 Stat. 289);

Act of January 15, 1942 (56 Stat. 5, ch. 3);

Act of June 3, 1941 (55 Stat. 238, ch. 162), as amended;

The provision in the act of June 11, 1940, making appropriations for the Navy Department for the fiscal year 1941, under the heading "Bureau of Supplies and Accounts, Pay, Subsistence, and Transportation of Naval Personnel," prohibiting the payment of active-duty pay and allowances to retired officers except during the war or national emergency (54 Stat. 265, 275);

The provision in the act of February 7, 1942 (56 Stat. 68), under the heading "Marine Corps—Pay of officers, active list," relating to the availability of funds for the payment of active-duty pay to retired officers;

Section 2 of the act of February 15, 1879 (20 Stat. 295);

Act of May 29, 1945 (59 Stat. 226, ch. 137);

The provisions under the headings "Bureau of Engineering" and "Bureau of Construction and Repair," in the act of June 11, 1940 (54 Stat. 293), authorizing the Secretary of the Navy to exceed the statutory limit on repair and alterations to vessels commissioned or converted to meet the existing emergency;

Act of November 29, 1940 (54 Stat. 1219, ch. 923, as extended by the act of May 15, 1945 (59 Stat. 168, ch. 127);

The proviso of the act of February 7, 1942 (56 Stat. 63), that no officer of the Navy or Marine Corps who has been or hereafter may be adjudged fitted shall be involuntarily retired prior to 6 months subsequent to the termination of the existing national emergency;

Act of December 2, 1944 (58 Stat. 793);

Act of February 21, 1942 (56 Stat. 97, ch. 107);

Act of April 9, 1943 (57 Stat. 61, ch. 40);

The proviso of the act of June 26, 1940 (54 Stat. 599), under the heading "Council of National Defense," that until such time as the President shall declare the present emergency at an end the head of any department or independent establishment of the Government, notwithstanding the provisions of existing law, may employ, with the approval of the President, any person of outstanding experience and ability at a compensation of \$1 per annum;

The provision of the act of July 2, 1942 (56 Stat. 548), as amended, which permits the Secretary of the Interior, or any official to whom he may delegate such authority, to appoint, without regard to the Classification Act of 1923, as amended, skilled and unskilled laborers, mechanics, and other persons engaged in a recognized trade or craft, including foremen of such groups;

Act of December 22, 1942 (56 Stat. 1070, ch. 801);

The provisions under the heading "Department of Agriculture, Surplus Marketing Administration," and "Department of the Interior, Government in the Territories," contained in the act of December 23, 1941 (55 Stat. 855, 856-857);

Section 8 of the act of June 9, 1943 (57 Stat. 126);

Section 301 of the act of September 9, 1940 (54 Stat. 884), as amended;

The provision in the First Deficiency Appropriation Act of 1942, under the heading "Selective Service System," relating to the presentation of quarterly reports to the Postmaster General (56 Stat. 101);

Act of July 9, 1943 (57 Stat. 390, ch. 209);

Section 5 of the act of June 28, 1944 (58 Stat. 394);

Section 2883 (c) of the Internal Revenue Code, added by the act of January 24, 1942 (56 Stat. 17);

Section 2883 (d) and (e) of the Internal Revenue Code, added by the act of March 27, 1942 (56 Stat. 187);

Act of December 20, 1944 (58 Stat. 817, ch. 609);

The provision in the Interior Department Appropriation Act, 1945, under the heading "Water conservation and utilization projects," relating to the use of the services or labor of prisoners of war, enemy aliens, and American-born Japanese (58 Stat. 463, 491);

Section 6 (b) of the act of March 11, 1941 (55 Stat. 33), as amended;

Act of December 17, 1941 (55 Stat. 808, ch. 588), as amended;

Section 606 (h) of the Communications Act of 1934 added by the act of December 29, 1942 (56 Stat. 1095);

Act of April 29, 1942 (56 Stat. 265, ch. 266);

Act of May 14, 1940 (54 Stat. 216, ch. 201), as amended;

Act of June 11, 1940 (54 Stat. 306, ch. 327), as amended;

Act of July 29, 1940 (54 Stat. 689, ch. 447), as amended;

Act of October 10, 1940 (54 Stat. 1092, ch. 838), as amended;

Act of May 2, 1941 (55 Stat. 148), as amended;

Act of June 14, 1941 (55 Stat. 591, ch. 297), as amended;

Section 3 (i) of the act of March 24, 1943 (57 Stat. 45, 51);

The proviso of subsection (h) of section 511 of the Merchant Marine Act, 1936, added by the act of June 17, 1943 (57 Stat. 158);

Section 1 of the act of April 24, 1944 (58 Stat. 216), except that any suspension of the statute of limitations heretofore provided for in an agreement entered into under the authority of such section shall continue in effect for the period provided in such agreement, but in no case longer than 2 years after the date of the approval of this resolution;

Act of April 11, 1942 (56 Stat. 217);

Section 3 of the act of July 11, 1941 (55 Stat. 585);

Act of November 23, 1942 (56 Stat. 1020), as amended;

Act of October 29, 1942 (56 Stat. 1012);

Section 303 of the act of December 18, 1941 (55 Stat. 840);

Section 12 of the act of June 11, 1942 (56 Stat. 357), except that outstanding certificates issued thereunder shall continue in effect for a period of 6 months from the date of the approval of this joint resolution unless sooner revoked;

Act of July 12, 1943 (57 Stat. 520);

Act of June 5, 1942 (56 Stat. 323, ch. 346);

Act of January 2, 1942 (55 Stat. 881, ch. 646);

Act of December 24, 1942 (56 Stat. 1080, ch. 812);

Act of July 8, 1943 (57 Stat. 390, ch. 200);

The provisions of the act of November 19, 1941 (55 Stat. 765), as amended, relating to the availability for expenditure of funds appropriated pursuant to said act, as amended.

SEC. 2. Notwithstanding the termination date or termination period heretofore provided therefor by law, the following statutory provisions are repealed effective upon the date hereinafter specified, or upon the expiration of the period hereinafter specified, and shall remain in full force and effect until such date or until the expiration of

such period. Such statutory provisions are herewith amended accordingly:

a. Repeal effective July 1, 1948:

Act of July 8, 1941 (55 Stat. 579, ch. 278), and the act of June 22, 1943 (57 Stat. 161, ch. 137);

Section 2 of the act of November 17, 1941 (55 Stat. 764);

Act of March 13, 1942 (56 Stat. 171);

Act of June 27, 1942 (56 Stat. 461, ch. 455);

Act of July 1, 1943 (57 Stat. 371), and the act of May 14, 1942 (56 Stat. 278), as amended;

Act of September 22, 1941 (55 Stat. 728, ch. 414), as amended;

The provision in the Second Supplemental National Defense Appropriation Act, 1943, under the heading "Federal Works Agency, Public Buildings Administration," relating to the authority of the Commissioner of Public Buildings to designate employees as special policemen (56 Stat. 990, 1000);

Act of July 29, 1941 (55 Stat. 606, ch. 326),

b. Repeal effective 6 months after the date of this joint resolution:

Act of January 27, 1942 (56 Stat. 19, ch. 21, as amended);

Act of December 17, 1942 (56 Stat. 1056);

Section 610 (c) of the act of July 1, 1944 (58 Stat. 682, 714);

Act of October 10, 1942 (56 Stat. 780, ch. 588);

Act of June 28, 1944 (58 Stat. 463, ch. 297);

Act of July 9, 1943 (57 Stat. 391, ch. 213); as amended.

c. Repeal effective 1 year after the date of this joint resolution.

Section 1 of the act of July 20, 1942 (56 Stat. 662);

Section 605 (c) of the act of July 1, 1944 (58 Stat. 682, 713).

SEC. 3. In the interpretation of the following statutory provisions, the date when this joint resolution becomes effective shall be deemed to be the date of the termination of any state of war heretofore declared by the Congress and of the national emergencies proclaimed by the President on September 8, 1939, and on May 27, 1941;

Act of July 1, 1941 (55 Stat. 498), as amended;

Act of February 28, 1945 (59 Stat. 9, ch. 15);

Section 86 of the act of June 3, 1916 (39 Stat. 204);

Act of July 2, 1917 (40 Stat. 241), as amended;

Section 16 of the act of June 10, 1920 (41 Stat. 1072);

Act of February 26, 1925 (43 Stat. 984, ch. 340);

Act of April 12, 1926 (44 Stat. 241);

Act of May 29, 1926 (44 Stat. 677, ch. 424);

Section 20 of the act of May 18, 1933 (48 Stat. 68);

The provision of the act of May 15, 1936 (49 Stat. 1292), which authorizes the United States to control and operate the Little Rock Municipal Airport without rental or other charge in time of national emergency;

Act of May 27, 1939 (49 Stat. 1387);

Provisions authorizing the assumption of possession and control of the areas specified in the following statutes or parts of statutes: Section 3 of the act of June 21, 1938 (52 Stat. 834); act of June 20, 1938 (49 Stat. 1557, ch. 638); act of August 19, 1937 (50 Stat. 696, ch. 697); section 4 of the act of February 28, 1933 (47 Stat. 1368);

Section 5 (m) of the act of May 18, 1933 (48 Stat. 62);

Act of December 26, 1941 (55 Stat. 863, ch. 633);

Act of January 26, 1942 (56 Stat. 19);

Section 120 of the act of June 3, 1946 (39 Stat. 213, 214);

Provision of Naval Appropriation Act for the fiscal year 1917 (act of Aug. 29, 1916, 39 Stat. 602), under the heading "Lighthouse Service," authorizing the President to transfer vessels, equipment, stations, and personnel of the Lighthouse Service (now Coast



Guard under Reorganization Plan No. II) to the jurisdiction of the Navy or War Department;

Section 16 of the act of May 22, 1917 (40 Stat. 87);

Provision of chapter XVIII of the act of July 9, 1918 (40 Stat. 892), as amended by the act of November 21, 1911 (55 Stat. 781, ch. 499), extending the time for examination of accounts of Army disbursing officers;

Section 69 of the National Defense Act of June 3, 1916, as amended by section 7 of the act of June 15, 1933 (48 Stat. 156);

The provision authorizing the extension of enlistments in the Regular Army or the Enlisted Reserve Corps, in force at the outbreak of war or entered into during its continuation, for 6 months after its termination, contained in the act of March 15, 1940 (54 Stat. 53, ch. 61);

Act of May 14, 1940 (54 Stat. 213);

Section 2 of the act of December 13, 1941 (55 Stat. 799, ch. 571);

Chapter II, articles 2 (d), 48, 58, 59, 74, 75, 76, 77, 78, 79, 104, and 119 of the act of June 4, 1920 (41 Stat. 759, ch. 227);

Paragraph 3 of section 127a as added to the act of June 3, 1916 (39 Stat. 166), by section 51 of the act of June 4, 1920 (41 Stat. 759, ch. 227);

Revised Statutes, 1163;

The fourth proviso of section 18 of the act of February 2, 1901 (31 Stat. 748, ch. 192);

Provision of the act of July 9, 1918 (40 Stat. 861), making appropriations for the Army for the fiscal year 1919, under the heading "Barracks and quarters," authorizing the Secretary of War to rent or lease buildings in the District of Columbia necessary for military purposes;

Section 111 of the act of June 3, 1916 (39 Stat. 211), as amended;

Section 363 of title III of the act of July 1, 1914 (58 Stat. 682, ch. 373);

Act of December 26, 1941 (55 Stat. 862, ch. 629), as amended by the act of December 23, 1944 (ch. 720, 58 Stat. 923);

Act of February 20, 1942 (56 Stat. 94);

Provision of Naval Appropriation Act for the fiscal year 1917 (act of Aug. 29, 1916, 39 Stat. 581), under heading "Officers for engineering duty only," authorizing the Secretary of the Navy to recall to active duty enlisted men on furlough without pay to complete the enlistment period;

Act of August 13, 1941 (55 Stat. 629);

Section 2 of the act of December 13, 1941 (55 Stat. 799, ch. 570);

Revised Statutes, 1420, as amended by section 2 of the act of January 20, 1944 (58 Stat. 4, ch. 2);

Provision of the act of August 29, 1916 (39 Stat. 614), which authorizes Marine Corps training camps for the instruction of citizens to be in existence for a period longer than 6 weeks in each fiscal year in time of actual or threatened war;

Revised Statutes, 1624, article 4, paragraphs 6, 7, 12-20, and article 5;

Act of March 22, 1943 (57 Stat. 41);

Revised Statutes, 1462-1464;

Provision of the Naval Appropriation Act for the fiscal year ending June 30, 1917 (act of Aug. 29, 1916, 39 Stat. 591), under the heading "Fleet Naval Reserve," authorizing the Secretary of the Navy to call retired enlisted men into active service;

Provisions contained in the act of July 1, 1918 (40 Stat. 717), as amended (14 U. S. C. 164, 165), which authorize commissioned or warrant officers on the retired list to be ordered to active duty and to be temporarily advanced on the retired list, so far as such provisions pertain to personnel of the Coast Guard;

Act of April 8, 1946 (Public Law 337, 79th Cong.);

Section 4 (c) of the act of August 10, 1946 (Public Law 720, 79th Cong.);

Revised Statutes, 1436;

First proviso of section 18 of the act of May 22, 1917 (40 Stat. 84, 89);

Act of October 6, 1917 (40 Stat. 393, ch. 93), as amended;

Section 11 (c) of the act of June 23, 1938 (52 Stat. 948);

Section 10 of the act of June 14, 1940 (54 Stat. 394);

Section 18 of the act of August 2, 1946 (Public Law 604, 79th Cong.);

Provisions of the act of March 4, 1917 (39 Stat. 1192-1193); the act of May 13, 1942 (56 Stat. 277, ch. 304); sections 3 and 4 of the act of July 9, 1942 (56 Stat. 656); the act of June 17, 1943 (57 Stat. 156, ch. 128); the act of June 26, 1943 (57 Stat. 209); and the act of May 31, 1944 (58 Stat. 265, ch. 218), which authorize the President or the Secretary of the Navy to acquire, through construction or conversion, ships, landing craft, and other vessels;

Section 10 of the act of May 14, 1930 (46 Stat. 329, 332);

Act of May 29, 1930 (46 Stat. 479, ch. 350);

Section 7 of the act of April 26, 1898 (30 Stat. 365);

Act of March 7, 1942 (56 Stat. 143-148, ch. 166), as amended;

Sections 3 and 12 of the act of February 21, 1946 (Public Law 305, 79th Cong.);

Section 1 of the act of July 20, 1942 (56 Stat. 662, ch. 508), as amended;

Act of December 17, 1942 (56 Stat. 1056, ch. 763);

Act of March 17, 1916 (39 Stat. 36, ch. 46);

Act of April 11, 1898 (30 Stat. 737);

Act of March 3, 1925 (43 Stat. 1109, 1110);

Section 1 of the act of July 2, 1940 (54 Stat. 724, ch. 516);

Section 4 of the act of July 7, 1943 (57 Stat. 338);

Act of May 18, 1946 (Public Law 385, 79th Cong.);

Section 2 of the act of August 8, 1946 (Public Law 697, 79th Cong.);

Section 4 (b) of the act of July 2, 1940 (54 Stat. 712, 714);

Act of December 17, 1942 (56 Stat. 1052);

Section 3 of the act of June 27, 1944 (58 Stat. 387, ch. 287);

Act of December 23, 1944 (58 Stat. 926, ch. 726);

Act of March 7, 1942 (56 Stat. 143, ch. 166), as amended;

Section 1 of the act of December 7, 1945 (59 Stat. 603, 604);

Act of December 10, 1942 (56 Stat. 1045);

Act of December 26, 1941 (55 Stat. 858), as amended, except that the Commissioners of the District of Columbia may continue to exercise the authority under sections 7 and 9 of such act, as amended, until not later than June 30, 1948, and the provisions of sections 11 and 12 of such act, as amended, shall continue to apply to cases in which the authority under sections 7 and 9 is exercised;

Proviso of section 303 (c) of the act of October 14, 1944, as added by the act of February 18, 1946 (Public Law 301, 79th Cong.);

Sections 119 and 156 of the act of October 21, 1942 (56 Stat. 814, 852-856);

Section 500 (a) of the act of July 22, 1944 (58 Stat. 291, ch. 268), as amended;

Section 201 of the act of August 10, 1946 (Public Law 719, 79th Cong.);

Act of July 31, 1945 (59 Stat. 511, ch. 338);

Section 6 of the act of February 4, 1887 (24 Stat. 379), as amended;

Provision of the act of August 29, 1916 (39 Stat. 619, 645), which empowers the President in time of war to take control of transportation systems;

Subsection (15) of section 402 of the act of February 28, 1920 (41 Stat. 477 (15));

Section 420 of the act of May 16, 1942 (56 Stat. 298);

Act of July 30, 1941 (55 Stat. 610);

Section 606 of the act of June 19, 1934 (48 Stat. 1104), as amended;

Section 4 of the act of July 15, 1918 (40 Stat. 901), as amended;

Sections 302 (h) and 712 (d) of the act of June 29, 1936 (49 Stat. 1993 and 2010);

Sections 1 (d) and 3 (a) of the act of August 7, 1939 (53 Stat. 1254 and 1255);

Section 2 of the act of October 22, 1914 (38 Stat. 765, ch. 334); act of May 10, 1943 (57 Stat. 82);

Section 1 (b) and subsections 2 (a), 2 (b), and 2 (c) of the act of August 8, 1946 (Public Law 660, 79th Cong.);

Section 1 of the act of January 28, 1915 (38 Stat. 800-801);

Provision of Naval Appropriation Act for the fiscal year 1917 (act of August 29, 1916, 39 Stat. 600), under heading "Coast Guard," subjecting personnel of the Coast Guard operating as part of the Navy to the laws governing the Navy;

Section 1 of the title II of the act of June 15, 1917 (40 Stat. 220);

Provision of Naval Appropriation Act for the fiscal year 1917 (act of August 29, 1916, 39 Stat. 601), under heading "Coast Guard," authorizing the Secretary of the Navy to man any Coast Guard station or maintain any house of refuge as a Coast Guard station;

Title II of the act of February 19, 1941 (55 Stat. 11), as amended;

Act of December 16, 1941 (55 Stat. 807, ch. 586);

Provisions appearing under the heading "Limitations upon prosecution," relating to crimes committed 2 years before arraignment, except for desertion committed in time of war, of the act of June 4, 1920 (41 Stat. 794);

Act of July 1, 1944 (58 Stat. 677, ch. 368);

Section 1 of the act of October 9, 1940 (54 Stat. 1061, ch. 788);

Section 2 of the act of June 19, 1912 (37 Stat. 138);

Provision of Naval Appropriation Act for the year 1918 (act of Mar. 4, 1917, 39 Stat. 1192), authorizing the President to suspend provisions of the 8-hour law to contracts with the United States;

Section 6 of the act of March 3, 1931, as added by the act of August 30, 1935 (49 Stat. 1013, ch. 825);

Provision of Naval Appropriation Act for the fiscal year 1917 (act of Aug. 29, 1916, 39 Stat. 558), under heading "Pay, miscellaneous," for the admission for treatment of interned persons and prisoners of war, under the jurisdiction of the Navy Department, to the Government Hospital for the Insane;

Section 604 of the act of July 1, 1944 (58 Stat. 712, ch. 373);

Section 400 (b) of the act of June 22, 1944 (58 Stat. 288), as amended;

Act of July 11, 1946 (Public Law 499, 79th Cong.);

Act of July 9, 1942 (56 Stat. 654);

Act of June 19, 1936 (49 Stat. 1535).

SEC. 4. The first sentence of section 3805 of the Internal Revenue Code, as added by section 507 (a) of the act of October 21, 1942 (56 Stat. 798, 963), is hereby amended to read as follows:

"In the case of any taxable year beginning after December 31, 1940, no Federal income-tax return of, or payment of any Federal income tax by, any corporation organized under the China Trade Act, 1922 (42 Stat. 849, U. S. C., title 15, ch. 4), shall become due until January 1, 1948."

SEC. 5. Nothing herein contained shall be held to exempt from prosecution or to relieve from punishment any offense heretofore committed in violation of any act.

Mr. MICHENER (interrupting the reading of the joint resolution). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the committee amendments as follows:

Page 4, line 11, add an "s" to the word "heading."

Page 4, line 14, strike "855."

Page 4, strike line 16.

Page 5, strike lines 1 to 5, inclusive.

Page 5, between lines 12 and 13, add in paragraph form the following:

"Section 19 of the act of February 26, 1944 (58 Stat. 104):

"The provision of section 8 (b) of the act of July 30, 1941 (55 Stat. 611), as amended, conferring certain authority upon the President."

Page 6, line 2, change "June" to "July."

Page 6, strike lines 6, 7, and 8.

Page 6, line 14, strike "the approval of this resolution" and substitute therefor "enactment of this joint resolution."

Page 6, line 25, strike "the approval" and substitute therefor "enactment."

Page 7, strike lines 22 and 23.

Page 8, line 10, insert "enactment of" after the word "of."

Page 8, strike lines 14 and 23.

Page 8, line 21, insert "enactment of" after the word "of."

Page 9, line 7, strike the parenthesis after "amended" and insert a parenthesis between the number "498" and the comma following the number.

Page 9, line 20, strike "1939" and substitute therefor "1936."

Page 10, line 16, insert "Provision of" before the word "Section"; change the capital letter "S" in "Section" to the small letter "s"; insert between the close parenthesis and the semicolon "authorizing the President to transfer vessels, equipment, stations, and personnel of the Coast and Geodetic Survey to the jurisdiction of the War or Navy Departments."

Page 15, strike lines 11 and 12.

Page 15, line 24, strike "1944" and substitute therefor "1940."

Page 16, strike lines 1 and 2.

Page 16, line 3, add an "s" to the word "Section" to make it plural; insert "and 507" after "500 (a)"; strike "July" and substitute therefor "June."

Page 16, between lines 6 and 7, insert a new line reading:

"Section 700 (a) of the act of June 22, 1944 (58 Stat. 295)."

Page 16, strike lines 8 to 15, inclusive.

Page 16, strike lines 21 to 24, inclusive, and substitute therefor:

"Sections 302 (h), 712 (d), and 902 (a) of the act of June 29, 1936 (49 Stat. 1993, 2010, and 2015), as amended."

Page 17, line 2, after the first semicolon insert "Section 4 of the."

Page 17, line 7, between the parenthesis and the semicolon insert ", as amended."

Page 18, between lines 20 and 21, insert a new line reading:

"Act of March 24, 1943 (57 Stat. 43, ch. 22), as amended."

Page 18, line 22, between "amended" and the semicolon insert ", except paragraph 12 of such section."

Page 19, line 1, change the period to a semicolon and add a new line between lines 1 and 2 reading:

"Act of December 19, 1941 (55 Stat. 844), as amended."

Page 19, strike lines 2 to 10, inclusive, and substitute therefor the following:

"Sec. 4. For the purposes of article IV of the act of October 17, 1940 (54 Stat. 1183-1186), as amended, the present war shall be deemed to have terminated within the meaning of section 604 (54 Stat. 1191) of the said act, as of the effective date of this joint resolution."

Mr. MICHENER (interrupting the reading of the amendments). Mr. Chairman, this is a very technical bill, and the amendments are technical ones.

I ask unanimous consent that the committee amendments be considered as read and considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. SPRINGER. Mr. Chairman, I offer an additional committee amendment, which is at the Clerk's desk. I shall offer several additional amendments which are not in the bill as reported.

The Clerk read as follows:

Committee amendment offered by Mr. SPRINGER: Page 8, line 10, insert between the word "amended" and the semicolon the following: "Provided, however, That so long as the Secretary of War deems it necessary in the interest of national defense, each man who has completed a course of medical instruction at Government expense in a university, college, or other similar institution of learning, pursuant to the provisions of the act of February 6, 1942 (56 Stat. 50, ch. 40), as amended, shall not be relieved from active duty until the completion of 2 years of active service as a commissioned officer, exclusive of any periods during which he served as an interne."

The committee amendment was agreed to.

Mr. SPRINGER. Mr. Chairman, I offer another committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. SPRINGER: Page 7, line 17, before the period at the end of line 17 insert the following: ", except that such funds shall remain available for the completion of access road projects which are now under construction."

Page 7, line 16, strike the word "expenditure" and substitute therefor the word "obligation."

The committee amendment was agreed to.

Mr. SPRINGER. Mr. Chairman, I offer another committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. SPRINGER: Page 10, strike lines 24 and 25, and page 11, strike lines 1, 2, and 3, substituting therefor the following:

"Section 16 of the act of May 22, 1917 (40 Stat. 87)."

The committee amendment was agreed to.

Mr. SPRINGER. Mr. Chairman, I offer another committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. SPRINGER: Page 20, strike out lines 11, 12, and 13 (all of section 5).

The committee amendment was agreed to.

Mr. SPRINGER. Mr. Chairman, I offer another committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. SPRINGER: Page 10, strike out lines 11 and 12.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HERTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (S. J. Res. 123) pursuant to House Resolution 288, he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H. R. 2239

Mr. SHAFER. Mr. Speaker, on behalf of my colleague the gentleman from Michigan [Mr. HOFFMAN], I ask unanimous consent to file a supplemental report on the bill H. R. 2239. Since filing the original report No. 734, we find that it does not comply with the Ramseyer rule.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### PACIFIC MARINE FISHERIES COMMISSION

Mr. WEICHEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 3598, an act granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries—marine, shell, and anadromous—of the Pacific coast and creating the Pacific Marine Fisheries Commission, with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, strike out all after "Washington" over to and including "expedient", in line 11, page 2.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. JACKSON of Washington. Mr. Speaker, reserving the right to object, will the gentleman explain the effect of the amendment?

Mr. WEICHEL. I yield to the gentleman from California [Mr. ALLEN] to explain the amendment.

Mr. ALLEN of California. Mr. Speaker, the amendment strikes out a proviso that was inserted subsequent to the ratification of the act by the various State legislatures. The practice which the proviso sets forth is intended to be followed; but if the proviso is not stricken, it may be that the legislation will be delayed in its operation until the State legislatures can reconvene.

It is agreeable, therefore, to strike that provision.

Mr. JACKSON of Washington. Mr. Speaker, I withdraw my reservation of objection.



The **SPEAKER**. Is there objection to the request of the gentleman from Ohio [Mr. **WEICHEL**]?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

# NATIONAL MINERAL RESOURCES DIVISION, DEPARTMENT OF THE INTERIOR

Mr. **BROWN** of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 268.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1602) to establish within the Department of the Interior a National Minerals Resources Division, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Lands, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Public Lands now printed in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. **BROWN** of Ohio. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. **GILLIE**].

Mr. **GILLIE**. Mr. Speaker, I ask unanimous consent to speak out of order.

The **SPEAKER**. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. **GILLIE**. Mr. Speaker, as you know, the Subcommittee on Foot and Mouth Disease of the Committee on Agriculture made a trip to Mexico to make an investigation of the foot-and-mouth-disease situation in that country. We have made that investigation and now wish to make a report to the House this afternoon.

What I want to do is to give you the recommendations, observations, and conclusions of the committee. I may preface the report by saying that it has been arranged first to give a narration of our activities; second, to set forth our observations and conclusions. The observations have been separated into affirmative observations and negative observations, the affirmative being encouraging and the negative indicative of difficulties to be overcome.

The committee was impressed with the high degree of cooperation between the Mexican and the American officials engaged in the fight against this aftosa disease, as the Mexicans call this disease. Operations appear to be conducted throughout in the most genial and cooperative manner. The morale of those

engaged in the field operations appears to be very high. Even in the face of what seemed to this committee to be some very formidable difficulties, the Mexican Government appears to be giving this campaign its complete support.

The committee believes that the American people should recognize and understand the high degree of courage it takes for the Mexican Government to support this program. For centuries the ox has been and remains today almost the universal draft animal in Mexico. The farmer's oxen are almost as dear to him as the members of his family. They are in addition his only means of support. It takes political courage of a high degree to tell farmers, most of them too little educated to understand the broad implications of this situation, that their oxen must be slaughtered and buried in this campaign.

(The report referred to follows:)

## FOOT AND MOUTH DISEASE IN MEXICO

### A REPORT WITH RECOMMENDATIONS

The committee left Washington by chartered Army plane on the morning of Saturday, June 28, 1947. The party consisted of the following: Representative George W. Gillie, chairman of the Foot and Mouth Disease Subcommittee of the House Committee on Agriculture; Senator Edward J. Thye, a member of the Foot and Mouth Disease Subcommittee of the Senate Committee on Agriculture and Forestry; Representatives Ernest K. Bramblett and Eugene Worley of the House Committee on Agriculture; Representative H. Carl Andersen of the House Appropriations Committee; Representatives A. L. Miller and Antonio M. Fernandez of the House Committee on Public Lands; John J. Heimburger, a member of the professional staff of the House Committee on Agriculture; and Z. W. Johnson of the office of the House Sergeant at Arms. The committee flew first to Amarillo, Tex., where it met Sunday morning with a large group of cattlemen from northern Texas and nearby States. These included Judge Joe Montague, secretary of the Southern Western Cattlemen's Association; Chansler Weymouth, president of the association; Jay Taylor, a former president of the association; and other representative ranchers from that area.

On Sunday the committee flew to Kingsville, Tex., where a meeting was held that night with cattlemen from the border area of the State. These included Robert J. Kleberg, Jr., president and manager of the King Ranch; Richard M. Kleberg, Jr.; Claude McCann, manager of the McFaddin Ranch and a member of the Texas Sanitary Commission; Ewing Halsell, owner of ranches in both Mexico and the United States; and other ranchers from that area.

The committee arrived in Mexico City Monday afternoon and went immediately to the headquarters of the Joint United States-Mexican Commission for the Eradication of Foot and Mouth Disease for a conference with directors and members of the headquarters staff. Later in the afternoon the committee conferred with the Minister of Agriculture of Mexico, and that evening met with the Permanent Committee of the Mexican Congress.

The group left the hotel by automobile at 7 a. m. Tuesday morning for a tour of the outlying infected area. The group included, in addition to the members of the committee, the following: Dr. M. S. Shahan, American Co-Director of the Joint Commission; Don Stoops, Agricultural Attache of the American Embassy and a member of the Commission; Dr. Leroy Noyes, Assistant Director of the Joint Commission; Lic. Oscar Flores, Under Secretary of Agriculture of

Mexico and Mexican Co-Director of the Joint Commission; Dr. Fernando Camargo, chief of the Livestock Scientific Investigation Commission of Mexico; Col. Jose M. Clave, Mexican Army; Pancho Scanlon, Administrative Officer of the Joint Commission; Charles Bernhart, Director of Information; Senator Jose Gomez Esparza, member of the Permanent Committee of the Mexican Congress.

The committee stopped on its way out of Mexico City at the building on the grounds of the Mexico Agricultural College which has been turned over to the Commission for warehouses and shop purposes. Here the group inspected equipment and supplies arriving for use in the campaign, observed the shops which are being set up for repair of automobiles or equipment, and was outfitted with rubber boots, raincoats, gloves, and hats for use in the infected area. These garments are worn over other clothes so that they may be disinfected when leaving an infected zone.

Leaving Mexico City, the party drove northward more than 100 miles into the State of Hidalgo and turned westward at Zimapan, which is within a few miles of the northern limits of the infection. Traveling westward into the State of Queretaro, the party met an army group near San Juan del Rio with the information that burial operations were to start the next day on a herd of cattle in the vicinity and that digging equipment was then on its way in. The party drove off the main road about 5 miles to observe this herd. On the way in it passed a heavy drag-line shovel being taken in on a huge semitrailer. The herd was found being rounded up near a small lake. Inspection by veterinarians in the party disclosed that the disease had been present in the herd for several weeks. Here the party got its first glimpse of the quarantine established around infected herds by the Mexican Army. In addition to sentries maintaining a quarantine line immediately around the herd, the party found two other road blocks and disinfecting stations on the road leading from the main highway to the lake where the herd was being assembled.

Proceeding westward, the party was informed at the city of Queretaro, where a stop was made for lunch, that a new outbreak had been reported the day before about 15 miles up in the mountains from that city. The party determined to observe the manner in which this outbreak was being handled and set off on the road leading to the spot. The road was so difficult, although weather conditions were not unfavorable, that it took almost 6 hours to make the trip of approximately 15 miles and return. The infected animals were found to be oxen belonging to a small farmer in the area. Although diagnosis had been made definitely only the day before, Mexican soldiers were already on quarantine duty at the spot, another squad was proceeding to the area for the establishment of a quarantine station, and a temporary bridge was being built across a small stream, in which cars of the party became stuck and had to be pushed, in order to provide access for automobiles. In spite of these early evidences of activity, however, it was estimated that it would be at least 2 weeks before the infected and exposed animals could be disposed of, because the equipment and personnel were busy elsewhere.

The following day, driving southward from Celaya in the State of Guanajuato, the party passed through a valley about 55 miles long and 35 miles wide in which it was stated that all the susceptible animals—cattle, hogs, sheep, and goats—had been removed. Farming in this area was being done with mules which had been imported to replace the traditional oxen as draft animals. At Salvatierra the party witnessed the distribution of mules, harness, and plows. These are provided to farmers as replacements for their slaughtered oxen.

Under the system of distribution now in operation, the farmer is paid in cash for oxen which are destroyed in the campaign. He is later permitted to buy a team of mules, harness, and a single-shovel steel plow for the exact amount of cash he received for his yoke of oxen. At the time he receives the plow he must turn in his old wooden plow.

South of Salvatierra the committee observed burial operations in progress. Approximately 500 cattle, mostly oxen, were being killed and buried in two huge trenches dug with a bulldozer. Animals were driven to the point by their owners, usually accompanied by the entire family, and were appraised and buried on the spot. Ordinarily owners are paid in cash for their animals at the time they are appraised, but on this particular occasion the Mexican paymaster had not yet put in an appearance and the burial operations were being considerably slowed by the reluctance of most owners to part with their animals before they had been paid.

On Thursday the committee drove westward almost to the western extreme of the State of Michoacan where, near the town of Sahuayo, considerable difficulty in appraising herds of dairy cows has been encountered. The committee looked at a herd of grade Holstein cows on which negotiations over the amount of indemnity were then in progress. It was stated that the owner wanted an indemnity which would average \$110 per cow. Commission appraisers said that they had killed and buried a herd the day before very similar to the ones the committee saw and that the indemnity paid for that herd was as follows: Twenty-eight cows at approximately \$110 each, 13 at \$100 each, 31 at \$90 each, and 5 at \$80 each.

Returning to Mexico City late Thursday night, the committee continued its activities on Friday, July 4, conferring with officials of the Mexican Government and holding further conferences at the Commission headquarters. On Saturday the committee held its final conference at the Commission headquarters, conferred again with Mexican Minister of Agriculture, and visited the Mexican Congress.

The committee left Mexico City for Washington by airplane at 7 a. m., Sunday, July 6.

#### Observations and conclusions

By the time the committee set out on its inspection tour it had, by reason of its conferences at Amarillo and Kingsville, Tex., and in Mexico City, a fairly accurate idea of what to look for in the field. Since the factual data observed were so extensive and varied, it seems to the committee that its observations can best be reported in the form of conclusions or opinions arrived at by the individual members as they saw what was actually being done and tried to fit what they saw into the pattern of the job ahead.

For purposes of clarity in reporting, the conclusions or opinions reached by members of the committee have been arbitrarily divided into those that are affirmative or encouraging, and those that may be regarded as negative or indicative of difficulties to be overcome.

#### Affirmative observations

1. Cooperation: The committee was impressed with the high degree of cooperation between the Mexican and the American officials engaged in this fight against "aftosa," as the Mexicans call foot-and-mouth disease. Operations appeared to be conducted throughout on a most congenial and cooperative basis.

2. Morale: The morale of those engaged in the field operations appeared to be very high—even in the face of what seemed to the committee to be some very formidable difficulties.

3. Support: The Mexican Government appears to be giving the campaign its complete

support. The committee believes that the American people should recognize and understand the high degree of courage it takes for the Mexican Government to support this program. For centuries the ox has been, and remains today, almost the universal draft animal in Mexico. A farmer's oxen are almost as dear to him as members of his family. They are, in addition, his only means of support. It takes political courage of a high degree to tell farmers, most of them too little educated to understand the broad implications of the situation, that their oxen must be slaughtered and buried in this campaign, even though they may have no sign of disease. It must be remembered, too, that in Mexico, as in the United States, there is always an opposition political party, ready to make political capital out of any mistakes of the administration—and that as regards the aftosa campaign this party has not been silent.

In spite of these considerations, the committee believes that the Mexican Government is sincerely and effectively behind the campaign to eradicate aftosa and that the committee will continue to have its fullest support.

4. Acceptance: Since the first of the year, the Mexican Government has been waging a strong campaign of education. At first the eradication program was opposed by the great majority of farmers. At the present time, it was estimated by the Minister of Agriculture, at least 90 percent of the rural population has been won over to support this program.

This trend is being accelerated as mules, harness, and plows are being made available to farmers as replacements for their oxen. There was considerable indication that Mexican farmers are already sold on the advantages of mules over oxen as draft animals and that there is a growing willingness on their part, if not an actual desire, to exchange their plodding oxen for the more agile mules.

5. Quarantine: The committee did not see the major military quarantine line that has been thrown across the country from Tampico, on the Gulf, westward and southward to the state of Colima, on the Pacific Coast. It was informed, however, by numerous observers, including ranchers from northern Mexico, that this quarantine line is pretty effective. The committee was favorably impressed with the many quarantine lines which it found within the infected zone.

As soon as an outbreak is reported, a quarantine is enforced by the Mexican Army is placed around the infected herd or area. This quarantine is as small as possible to contain the actual exposed and infected cattle.

Where there are several outbreaks in an area, or where a whole area within the infected zone is regarded as infected, a quarantine is placed around such area in an effort to prevent the spread into uninfected areas within the large infected zone.

Wherever a road crosses a quarantine line there is a disinfection station, where any person or vehicles passing from the infected areas are disinfected. Vehicles are driven through tanks in which disinfecting liquid covers the tires. The occupants walk through troughs in which the liquid is held in saturated sawdust. Trucks passing through quarantine lines are sprayed inside and out.

On its 850-mile auto trip, the committee estimated that it passed through about 75 such road blocks and disinfection stations. The quarantine is entirely the responsibility of the Mexican Army and it was reported that more than 15,000 soldiers are being used for this purpose. The committee was, on the whole, favorably impressed with the quarantine and disinfection precautions.

6. Personnel: New personnel has recently been added to the headquarters staff in Mex-

ico City and is being added in the field. This appears to have increased considerably the efficiency and capacity of the headquarters and to be improving the operations in the field. Much additional personnel is needed for the field operations.

7. Equipment: American equipment and supplies did not arrive in Mexico in volume until June. It is apparently being utilized as well as possible with the available manpower, and progress since its arrival is about all that could be expected. Following is a list of the major equipment on hand at the time of the committee's visit:

Track-type gasoline power shovels.....	10
Bulldozers .....	16
Jeeps .....	100
Weapon carriers.....	100
Tank trucks.....	5
Power spray units (for disinfecting).....	63
Semitrailer.....	18
Cargo trucks.....	35
250-gallon tank trailers (for water).....	22

8. Extent of infection: The strategy of the campaign is to concentrate the fight along the northern perimeter of the infection, block its northward progress, and drive it back southward and eastward until it has been eradicated. According to the best available evidence there has been no northward spread of the disease in the past few weeks. About 6 weeks ago, it was reported, there were some few outbreaks back "over the heads" of the forces fighting the disease on the northern perimeter. It was stated, however, that these were promptly eradicated and that since that time there have been no new outbreaks reported north of the control area. The northern extent of the disease is still well south of the Tampico-Colima quarantine line.

9. Intensity of infection: In spite of the fact that the disease has now been present in Mexico for more than 6 months, there are still many counties (municipios) within the so-called infected zone in which there is no known disease. The following table shows the States and the number of municipios within each State in which the disease is known to exist:

Number of infected municipios within each State

State	Number of municipios	Infected municipios
Aguascalientes.....	7	4
Chiapas.....	109	2
Federal District.....	12	12
Guanajuato.....	45	11
Guerrero.....	71	6
Hidalgo.....	80	43
Jalisco.....	119	2
Mexico.....	119	40
Michoacan.....	102	14
Morelos.....	32	25
Oaxaca.....	28	2
Puebla.....	217	41
Queretaro.....	11	2
San Luis Potosi.....	58	2
Tlaxcala.....	39	28
Vera Cruz.....	198	109
Zacatecas.....	52	1
Total.....	1,259	344

It is worth noting that all but four of these States (Aguascalientes, Chiapas, San Luis Potosi, and Zacatecas) lie entirely within the quarantine zone. The fact that so many municipios within these infected States are still considered to be free of the disease gives rise to the hope that if control measures are adequate in scope and applied with sufficient speed, large numbers of cattle in the quarantine zone will not have to be destroyed and buried.

It is contemplated that all cattle which may possibly have been exposed to the disease will be liquidated, but if the active disease can be prevented from spreading into the present clean areas within the infected



zone, many of these cattle can be consumed in Mexico City with a resultant saving in indemnities and burial expense.

#### Negative observations

1. Lack of personnel: In the opinion of the committee, operations should be just about doubled in speed and scope. More appraisers, paymasters, veterinarians, equipment operators, and inspectors are needed at once if the campaign is to get ahead and stay ahead of the disease, instead of following along behind the disease and trying to catch up.

The following table shows the number of professional workers now engaged in the campaign and the number which the Joint Commission believes it should have to do the job. In general, the estimates of the Commission as to personnel required coincide with the observations of the committee:

	Present number	Needed
Veterinarians.....	61	150
Paymasters.....	28	60
Appraisers.....	22	60
Lay inspectors.....	22	70

2. Lack of equipment: There is now an insufficient quantity of American equipment on the job. In the opinion of the committee there is just about half as much as there should be. The mechanical task of digging trenches and burying more than a million cattle is a tremendous undertaking, particularly when the rock composition of the soil and the inaccessibility of many herds is considered. Much more mechanical equipment is needed for the job.

3. Topography: The mountainous terrain and the lack of improved roads are a serious handicap to operation. In some places cattle must be driven into valleys for burial because rocky soil prevents digging of trenches in the hills. In most places, as soon as the major highways are left behind, roads are little more than burro trails. This is a serious impediment to movement of heavy digging equipment.

4. Human nature: It is not in the nature of most Mexican farmers to be hurried. The eradication campaign is a job which requires, first of all, speed. It is extremely difficult, however, to impress many farmers and other country workers with the need for haste, and efforts to high-pressure them into action are likely to arouse resentment. This is a factor which cannot be avoided and which can be overcome only with the fullest cooperation from Mexican officials and the greatest of understanding and tact on the part of American workers.

5. Delay: The committee observed delays in operation which were, to its way of thinking, inexcusable. An example was the burial operation it observed near Salvatierra. Here two huge trenches had been dug, the owners of some 500 cattle had driven their animals to the site shortly after dawn, the Mexican and American appraisers were on the job, but the Mexican paymaster had failed to appear. The accepted practice is to pay owners in cash before their animals are killed, but when the committee left the scene some time after noon people and cattle were still milling about the open pits, relatively few animals had been killed, and work was progressing at a snail's pace, because the paymaster had not yet arrived.

Other delays are perhaps more excusable but may still be very damaging to the program. The infection in the herd near San Juan del Rio was said to be several weeks old, and the cattle were still above ground. It would be 2 or 3 weeks, the committee was told, before the new outbreak inspected near Queretaro could be destroyed, although the active disease was at that time confined to two or three animals.

Equally serious is the time that has elapsed between the killing of a farmer's oxen and the delivery of his mules. Many farmers told the committee they had waited 2 or 3 months for their mules. Meanwhile their farms had gone unplanted or untended. Such conditions are certain to create ill will and may be disastrous to the individual farmer.

It may be that, on the whole, the delay and lost motion is no greater than might reasonably be expected in a new organization trying to go into operation on so vast a scale while still in its formative stages. Nevertheless, the committee is strongly of the opinion that this situation must be improved speedily if the job is to be done.

6. Inefficiency: Closely related to the delay just noted is the inefficiency which still prevails in some phases of the operation. An example of this also was observed at the burial operation witnessed near Salvatierra. Here animals were being killed with 22-caliber pistols, which were entirely inadequate for the job. Larger guns had been ordered, it was stated, but were not yet available. There were reports also of inefficient operation of power shovels and other equipment. The need for a tightening-up of operations and the elimination of situations such as this is obvious.

7. The size of the undertaking: The very size of the undertaking is one of the major problems. The infection is scattered throughout some 30,000 square miles of territory ranging all the way from dense coastal jungles to 15,000-foot mountains. There are an estimated 2,500,000 cattle in this area—all of which, together with the sheep, goats, hogs, and deer, will have to be slaughtered unless the disease can be virtually stopped in its tracks. The handling of the men and machines required to do this job over this vast territory is a tremendous and expensive undertaking.

The staggering size of the undertaking is clearly delineated in the cold statistics on the number of animals disposed of and the number remaining: At the end of June approximately 168,000 cattle had been killed and buried while an additional 26,000 from the infected zone had been disposed of by slaughter and consumption in Mexico City. The estimated number of hogs, sheep, and goats destroyed was about three times the number of cattle killed. In contrast to the accomplishment thus far, following are the Joint Commission's estimates of the number of animals remaining in the various zones:

	Cattle	Hogs	Goats	Sheep
Zone 1 (highly infected).....	1,282,770	745,666	448,086	731,373
Other quarantined areas.....	3,186,091	1,154,162	1,303,619	1,235,909
North of quarantine.....	6,021,324	2,528,720	4,988,765	2,270,420
South of quarantine.....	923,968	660,244	60,775	205,441

The cost of eradication will depend to a large extent on the speed with which the campaign is carried on. Virtually all the animals in zone 1 must be eradicated. Destruction must be carried out in the other quarantined areas to whatever extent is necessary to eradicate the outbreaks that occur. The average indemnity thus far paid for cattle is \$49 per head. The total cost to the United States at the end of June was about \$62 per head of cattle destroyed.

8. Northern Mexico: One of the most urgent problems is that of finding an outlet for uninfected cattle in northern Mexico. It is estimated that there may be as many as 9,000,000 cattle in that part of Mexico lying north of the quarantine line and that more than 600,000 of these must be sold or liquidated this year to prevent overstocking of ranges, the possible starvation of the

whole cattle population, and almost certain bankruptcy of many ranchers. The normal market for these cattle is northward into the United States and southward into Mexico City. Both of these markets have been cut off by the quarantine imposed because of foot-and-mouth disease. An outbreak of the disease in the northern States of Mexico would render futile all the efforts which have been and are now being made to stamp it out in the area around Mexico City. Nevertheless, such an outbreak is a very real danger unless an immediate market is found for many of these cattle.

#### Conclusions

Following are the conclusions reached by the committee members as a result of their observations in Mexico:

1. Operations must be speeded up. The eradication program is still lagging behind the disease, trying to catch up, instead of being ahead of the disease pushing it back. In the committee's opinion, operations should be at least doubled in scope and intensity.

2. Funds should be made available immediately to enable the campaign to be pursued at the highest speed and intensity with which it can be operated. The faster the campaign can be pushed, the less it will cost in the long run.

3. There should be created the office of executive director of the campaign to be filled by a man approved by the Governments of both the United States and Mexico, who has the ability to direct a campaign of this magnitude in all its ramifications and to bring about the speed, coordination, and efficiency which are absolutely essential to the success of this program. The committee specifically commends the work of the present codirectors of the campaign and does not wish this suggestion to be implied as any criticism of their activities or abilities. It believes, on the contrary, that they are performing a tremendously difficult task with remarkable ability. In justice to them, the committee believes that someone of outstanding executive ability and experience should be designated by them and their Governments to carry out the policies that they decide upon, so that the codirectors will be free to devote their time and energies to the policy phases of the program and be relieved of the executive duty.

4. It is the considered opinion of the committee that the campaign should be carried on on its present basis south of the Tampico-Colima military quarantine line. Without undertaking to commit either the joint commission or the Government of the United States to such a policy, it respectfully suggests that if foot-and-mouth disease spreads into northern Mexico it may very possibly be necessary to abandon completely efforts to control the disease at this time in Mexico and to withdraw our own forces to the American side of the border in an effort to keep the disease out of this country. Certainly, it will be impossible to continue the present program on the present scale if the disease does spread into northern Mexico.

5. The Department of Agriculture should immediately assign the best man available to the job of getting existing packing plants in northern Mexico into operation and assisting the operators of those plants in finding export markets for their meat. It is recommended also that the Department encourage foreign countries now buying meat in the United States to transfer part of their purchases to Mexico by announcing that there will be, beginning at once, reductions in the export allocations of meat from the United States proportionate to the quantity which the Department believes can be supplied from northern Mexico.

6. Regardless of salvage operations or other expedients, the committee is convinced that the only way the campaign against foot-and-

mouth disease can be waged successfully is to kill and bury all infected or exposed animals as rapidly as it is physically possible to do so.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. GILLIE. I yield to the gentleman from Wyoming.

Mr. BARRETT. I want to commend the gentleman for his fine presentation and for the splendid service his committee has rendered in the matter. I should like to ask the gentleman this question: Did he find any evidence of hoof-and-mouth disease spreading among the wild game down in Mexico?

Mr. GILLIE. We were not in that section. That is up in the mountainous sections of the country and we did not get to that section. We were anxious to see that part of it but we were not able to do it in the 4 days we were out in the field.

Mr. BARRETT. I have heard that such is the fact and I was anxious to know.

Mr. GILLIE. Oh, yes; deer and other wild animals spread the disease just as rapidly and just as thoroughly as the domestic animals, in fact a deer covers more territory than a domestic animal.

Mr. BARRETT. It seems to me that if we do not proceed with this program in an orderly manner that instead of spending millions, or even hundreds of millions of dollars in Mexico, we will find it necessary to spend billions of dollars in this country if that disease crosses the border. I would like to know if the gentleman's committee has recommended that our border be fenced to insure that infected cattle will not cross into this country?

Mr. GILLIE. We talked about that too. The thing we are interested in for the immediate present is to get at this disease as quick as we can. I may say that if we do not eradicate it down there quickly, we are going to have that disease in this country and it will then take billions of dollars to eradicate it here. The thing I like about the program down there is that they are going at it as fast as they can but I would like to see it accelerated, more men and material sent down there, and more money spent in order to get the job done quicker.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. GILLIE. I yield to the gentleman from Arizona.

Mr. MURDOCK. I, too, want to congratulate the gentleman on the good work already done. The gentleman has just emphasized that this protective program needs to be carried forward with energy. Did the gentleman see evidence of the disease approaching our border across the neutral zone? How close is it to us?

Mr. GILLIE. We found that the disease now is within 275 miles of the United States. Now, that is close enough; we do not want it any closer. If it ever gets within 50 miles of the United States border, just as sure as we are sitting here, that disease will be in the United States. You cannot stop it.

Mr. FERNANDEZ. Mr. Speaker, will the gentleman yield?

Mr. GILLIE. I yield to the gentleman from New Mexico, one of the members of the committee on this trip with us and who made a fine interpreter for us.

Mr. FERNANDEZ. I thank the gentleman. With reference to the question asked by the gentleman from Wyoming [Mr. BARRETT], the fence is fine and ought to be built, but no fence is going to stop the deer from coming over, and if the northern part of Mexico is infected, the deer are going to get over the fence regardless of how long or how high it is.

Mr. BARRETT. Mr. Speaker, if the gentleman will yield further, it seems to me that we should take every precaution possible to prevent the spread of foot-and-mouth disease into our country and for that reason, I think the fence is both necessary and advisable, but I want it distinctly understood that at the same time I strongly urge that the present program be carried out in a thorough and aggressive manner and I also believe we should carry on some research in South America or overseas on the best method to fight this scourge.

Mr. GILLIE. You know, they have already appropriated money for that fence and they are waiting for the time to get the material. We must be vitally interested in this thing. I tell you folks I have gone through one of these campaigns in 1914 and it is a terrible thing to have where livestock exists and especially in this country where the finest livestock in the world exists. We want to help Mexico all we can to get that job done because we certainly do not want it in this country.

Mr. BROWN of Ohio. Mr. Speaker, I will later yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 268 makes in order the consideration of H. R. 1602, introduced by the gentleman from Illinois [Mr. ALLEN], under an open rule, with 2 hours of general debate. This is a bill to establish within the Department of the Interior a National Mineral Resources Division, and for other purposes. The other purposes are, very frankly, to continue certain payments to obtain the production of a few scarce and strategic metals from marginal mines. It has been determined that this legislation is absolutely necessary in order to carry on the production of these scarce metals until a strategic stock pile can be built up in this country for national defense and to meet the needs of our reconversion program.

The gentleman from Illinois [Mr. ALLEN], who is the chairman of the Committee on Rules and the author of this bill, being modest and reticent, did not desire to present this rule, making in order his own bill, but I do call upon him to take time and explain the measure in more detail to the House. So I yield to the gentleman from Illinois [Mr. ALLEN] such time as he may desire on this measure.

Mr. ALLEN of Illinois. Mr. Speaker, the pending bill, H. R. 1602, as amended, continues the premium price plan for copper, lead and zinc for a 2-year period at a cost of not more than \$35,000,000 a year.

This plan has been in operation since 1942. From 1942 to 1945 it was authorized by Executive order under the War Powers Act because there was a shortage of these strategic materials. In 1945 it was continued by Congress because there was a shortage of these strategic materials.

Today it is necessary to continue it for two more years because there still is a shortage of these strategic materials—and the shortage is becoming more grave because hundreds of mines have closed since the termination of the plan on June 30—others are now operating at a loss—awaiting the enactment of this law by Congress. Without question, they will also close if we fail to act.

We cannot afford to have this happen because, first, with all the mines operating, they are unable to supply our domestic needs.

Without the enactment of this plan, industry and the consumers will be denied their needs and our industrial economy will be slowed. Secondly, we have no military stock pile, and the Stock Pile Board is prohibited by law from purchasing for stock-pile purposes during the period of industrial shortages.

There is no chance of building stock piles from foreign sources. In the present critical condition of the world, we must look to our defenses in every possible way. While we send billions of dollars to foreign countries, with the definite reason—for the defense of the United States—we must also perfect ourselves. This we cannot do if we have insufficient strategic materials.

Considerable of the moneys we send to foreign lands are used by those countries for opening, operating, developing and producing strategic materials. Can we afford to deny ourselves the same?

I want to stress that above everything else. Here in the United States we have been sending billions of dollars to foreign countries, and those foreign countries are using many millions of dollars to open and operate their own mines. So I say that we are merely asking in this bill for our own miners what we are making available to other countries; that is, the opening, development, and operation of mines producing strategic materials.

It will be asked why during this period of comparatively high metal prices our marginal mines cannot continue to operate. The answer is very simple. Grades of ore have been declining and labor and other costs have steadily been rising. There are a few larger mines that have a better grade of ore as well as huge deposits. Naturally, they can operate without premium payments. But eventually the deposits of the larger mines will be completely depleted. Therefore, it is necessary to continue exploration and development. This bill will do exactly that.

I am also gravely concerned with the effect of shortages on our building program in this country, especially homes for veterans. These metals play a very important part in all construction, which is so vital economically. The livelihood of hundreds of thousands of people depends upon these materials. We must



never forget that once these mines are closed for any period of time they become filled with water and are very difficult to reopen.

Mr. Speaker, the Committee on Public Lands held extensive hearings on this bill and reported it out unanimously.

Mr. BUCK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from New York.

Mr. BUCK. Is it true that copper, lead, and zinc are still controlled by price regulation?

Mr. ALLEN of Illinois. No; I do not believe that is true.

Mr. BUCK. There is no limit on the price?

Mr. ALLEN of Illinois. Not to my knowledge.

Mr. BUCK. If there is a shortage, why should not the price of these commodities go up and thus afford the stimulation to production this bill seeks to provide?

Mr. ALLEN of Illinois. As I mentioned, the price of these metals is very high. The large mines have large ore beds and, under present prices, can operate without the payment of premium prices. However, eventually the large ore beds of these mines will be depleted, and then there will not be any lead, zinc, or copper. This is to give others the right of exploration and development of mines.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. BROWN of Ohio. If these marginal mines are closed down at this time, of course, it will be impossible to open them up a year from now in case we need these strategic materials then worse than we need them today, and we do need them badly today.

Mr. ALLEN of Illinois. I would say to the gentleman from New York [Mr. BUCK] that undoubtedly he has voted to send money to foreign countries, and those countries themselves are using millions of dollars for the development of various mines. If we think it is so important for us to send money to them to develop their mines, I think we should take care of our own people here in that respect.

Mr. BUCK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. Is that true? Did the gentleman vote to send money abroad?

Mr. BUCK. That is true.

Mr. ALLEN of Illinois. Do you know that they are using many millions of dollars we are sending them for the same purposes that this bill has, which is to develop the mines?

Mr. BUCK. I rose to question the gentleman. He was saying that we must stock-pile these materials. Why is it not a good thing in building up these stock piles to take these minerals from the foreign countries, thereby preserving our own resources and giving them dollars in return for these minerals?

Mr. ALLEN of Illinois. That would be all right, but I believe the present condition is such that there is a great shortage of lead, zinc, and copper over there, which is needed for building and recon-

struction. Consequently, the billions of dollars that we are sending over there are being used by them to develop mines.

Mr. SHAFER. Is it not true that we cannot get the materials from them, that they will not sell them to us?

Mr. ALLEN of Illinois. That is true.

Mr. PLUMLEY. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. PLUMLEY. I would like to suggest that here is an opportunity for the House to do something for the individual operator.

Mr. ALLEN of Illinois. That is definitely true.

Mr. HAND. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. HAND. Is not the gentleman a little bit alarmed at the tendency nowadays to require us to pay everybody for producing anything out of the Treasury of the United States? In rapid succession over the last couple of weeks we have had a subsidy bill on sugar and then a subsidy bill on wool. Now it is metals. It seems to me these operations somehow ought to be able to be carried on by the people engaged in that business and that we ought to sometime put a stop to subsidies.

Mr. ALLEN of Illinois. I thank the gentleman. In regard to that, my opinion is that this can be strictly decided as a national defense issue. I reiterate that when we send money to foreign countries to develop their mines and give them money for defense purposes, at least we should do the same thing for our own protection.

Mr. HAND. I remind the gentleman that I did not do that.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Speaker, we of Texas always have been very interested in flood control; it has long been the feeling of many of us that the flood-control problems of the Texas area are as pronounced and urgent in many respects as are the flood-control problems of any section of the Nation. Therefore, it is difficult for us to understand why no emphasis was given our problems in the message sent to the House yesterday.

An embracive flood-control program for the entire Nation, I feel, should be adopted and carried out. Money spent to prevent the types of disastrous floods which many sections of our Nation have experienced recently would be money well spent. Any program which is adopted, in my opinion, should take into consideration the Texas flood-control problems, and early effort to prevent the disastrous floods which occur in our area should be taken.

#### MINERALS

Mr. SABATH. Mr. Speaker, originally I was opposed to this legislation. I felt that it would be extremely expensive and that it would cost millions of dollars, and the people of the country would not be benefited to that extent. But after listening to the persuasive arguments advanced by some of my colleagues from that great committee who come from the Western States, I have been moved to

change my mind, and I wish to compliment those gentlemen for their presentation. I wish especially to pay my respects to the gentleman from Nevada [Mr. RUSSELL], the gentleman from Colorado [Mr. CARROLL], the gentleman from California [Mr. ENGLE], the gentleman from Arizona [Mr. MURDOCK], the gentleman from New Mexico [Mr. FERNANDEZ], and the gentleman from Oklahoma [Mr. PEDEN], who showed by their convincing arguments here on the floor their deep interest in and knowledge of the subject, and their enthusiasm for the development of their region.

#### ENDING OPA RAISED PRICES

I have been impressed, too, Mr. Speaker, by the able reasoning of my chairman of the Committee on Rules, the gentleman from Illinois [Mr. ALLEN] who preceded me. Before the Rules Committee, as here on the floor, he gave an excellent exposition of the meaning of this legislation in terms of the best interests of our country.

The gentleman from Pennsylvania [Mr. RICH] has charged that this will increase the cost of materials to the American people. No, Mr. Speaker, if anything this will lower costs. What has increased costs and continues to do so has been the votes of the gentleman and other Republicans to end price control.

Yes. It will cost for the first 2 years \$70,000,000, but in view of the tremendously high price we are obliged to pay other countries for lead, copper, and zinc, I think the \$70,000,000 we will spend in 2 years will be more than saved in the amount we must pay for these materials.

#### UNITED STATES HAS SHORTAGES

The price of copper, zinc, and lead has increased from 200 to 300 percent because there is a terrific shortage in the United States. The foreign countries having control of many of these strategic materials have been taking advantage of that fact. I am not in favor of letting them continue to charge us these tremendous prices for the material which we so sadly need, not only for many industries that are short, but also for the purpose, as was so ably explained by my colleague, to construct homes so sadly needed for our servicemen, and for private families who are seeking a roof over their heads.

So I have listened to the evidence and the reasons given, and I came to the conclusion that I should withdraw by objection to the bill, in view of the additional reasons given me by parties representing the various States out West where people depend largely on mining, which in many instances they were obliged to abandon because they could not continue to operate their small mines. I feel that the rule should be adopted and favorable consideration given to this meritorious legislation as I see it now.

I reserve the remainder of my time, Mr. Speaker, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I note that a great many people are for this legislation, but for the life of me I cannot understand why the Republican Party wants to continue all this New Deal legislation that was started in the last 10 or 12 years. It seems to me it is about time we woke up and saw where we are headed for, socialism and communism. Let me show you what this bill does if you adopt this rule.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. RICH. When I get more time. I do not yield now. I want to show you that the OPA put a price of 13 cents on copper, 6½ cents on lead, and 6½ cents on zinc. Now, what do you do in this bill? You put a ceiling price of 28 cents on copper, 18 cents on lead, and 18 cents on zinc, and subsidize these prices.

To think of increasing the value of these minerals to the unprecedented extent proposed in this resolution, raising them to such unheard of prices just does not make sense. You are going to have to spend from eighty to one hundred and fifty million dollars a year out of the Treasury of the United States in order to make up the difference you will have to pay in subsidies.

Let me tell you that the lead industry of this country does not want this legislation. The ones who mine the greatest amount of copper, the ones who mine lead, the ones who mine zinc do not need this legislation, and certainly it is not necessary for national defense needs at this time to have such legislation as this passed.

Let me read you a letter from the Lead Industry Association about the bill, H. R. 2455, which is similar to H. R. 1602. They state that it is going to cost \$5,000,000 or more a year as subsidy. Here is what they say:

Our industry, representing 85 percent of the lead production in the United States is against it and I believe that the opposition of the Department of the Interior contained in the following extract from the testimony of Under Secretary Chapman summarizes the issues beautifully.

Here is what Secretary Chapman said:

The Department is convinced that such legislation would not only defeat the purposes announced by the proponents but would ultimately lead to the complete regimentation of the domestic mining industry.

If the Members of this House want to regiment the mining industry of this country, pass this legislation. I am against it and would not support legislation like this for it is not American. The American people never did it this way before the New Deal.

Let me continue further with what Secretary Chapman said:

It is the Department's firm belief that in order to maintain a strong and vigorous mining industry, the industry should be freed of governmental rules and regulations to the greatest extent possible.

Think of that coming from the Under Secretary of the Interior at a time like this.

Legislation of this type will result in industry becoming completely ensnared in virtually impossible administrative pro-

cedure, the dangers of which become progressively greater as a more normal relationship between mineral production and requirements is established.

Mr. ENGLE of California. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. ENGLE of California. Does the gentleman realize that the bill H. R. 2455 is not the bill before the committee?

Mr. RICH. It is the same kind of a bill as H. R. 1602. It has been changed a little but it is the same kind of legislation contained in that bill.

Mr. ENGLE of California. It still provides for a subsidy, does it not?

Mr. RICH. Certainly it is a subsidy all the way through. If it provided for a subsidy that was somewhat in line with the OPA price that would be one thing, but this more than doubles the OPA price. Who ever heard of 28 cents a pound for copper, 18 cents a pound for lead, and 18 cents a pound for zinc? There never were such high prices in history guaranteed by Uncle Sam.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. RICH. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. The gentleman talks a great deal about these subsidies. Knowing the gentleman as I know him I will ask him if he has not always supported a high tariff, for instance, on woolen cloth? How would the gentleman feel if a subsidy were to be placed on wool?

Mr. RICH. I am against a subsidy on wool. I do not want the gentleman to bring the wool bill in here because I am just as much against that as I am against this bill and I want the Members of Congress to vote against it. That is the thing for them to do. These subsidies on all materials and articles are New Deal philosophy and I was against it before 1947 and I am against it now.

America never had such philosophy as this before 1933. I hope they will get rid of it now and never adopt such a plan again.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. BUCK. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BUCK. This is an important rule. I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. One hundred and thirty-three Members are present, not a quorum.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 115]

Anderson, Calif.	Byrne, N. Y.	Dawson, Utah
Bell	Case, N. J.	Fellows
Bender	Celler	Fuller
Bennett, Mich.	Chapman	Gifford
Bland	Clements	Gross
Bloom	Clippinger	Gwynne, Iowa
Boggs, La.	Cole, Mo.	Hall
Brooks	Cole, N. Y.	Edwin Arthur
Buckley	Cox	Harris
Bulwinkle	Dawson, Ill.	Hart

Hartley	Kirwan
Hays	Ludlow
Hébert	Lusk
Hinshaw	Lyle
Jenkins, Pa.	Macy
Johnson, Tex.	Manasco
Jones, Ohio	Norton
Kee	O'Toole
Kefauver	Patman
Kelley	Powell
Kersten, Wis.	Preston

Priest
Rayfield
Richards
Riley
Scoblick
Seely-Brown
Smith, Ohio
Smith, Va.
Snyder
Vinson

The SPEAKER. On this roll call, 368 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from Illinois [Mr. HOWELL] for a consent request.

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE—PERMISSION TO FILE REPORTS

Mr. HOWELL. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file reports on the bills (H. R. 3509) to authorize the construction of a class IV airport for the city of Fairbanks, Alaska, and a public highway or bridge from the city of Fairbanks to the location of the airport, and (H. R. 7510) to authorize the construction, protection, operation, and maintenance of a public airport in the Territory of Alaska.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from New York [Mr. ANDREWS] to submit a consent request.

#### REREFERENCE OF BILL

Mr. ANDREWS of New York. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of the bill (H. R. 4042) to control the export to foreign countries of gasoline and petroleum products from the United States, and that the bill be rereferred to the Committee on Merchant Marine and Fisheries.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### INTERSTATE AND FOREIGN COMMERCE COMMITTEE—PERMISSION TO FILE REPORT

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file reports on the bills (S. 682) to regulate the interstate transportation of black bass and other game fish, and for other purposes, and (H. R. 3924) to amend the Public Health Service Act in regard to certain matters of personnel and administration, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from Michigan [Mr. CRAWFORD].



NATIONAL MINERALS RESOURCES DIVISION, DEPARTMENT OF THE INTERIOR

Mr. BROWN of Ohio. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The question was taken; and on a division (demanded by Mr. BUCK) there were—ayes 152, noes 27.

So the resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. WELCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1602) to establish within the Department of the Interior a National Minerals Resources Division, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1602, with Mr. HOWELL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. WELCH] is recognized for 1 hour and the gentleman from California [Mr. ENGLE] for 1 hour.

Mr. WELCH. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. WELCH. Mr. Chairman, H. R. 1602, which is a bill to stimulate exploration, development, and production from domestic mines of copper, lead, and zinc, highly strategic minerals needed for national defense purposes, is one of several bills dealing with this same subject which were referred to the Committee on Public Lands.

The committee held extensive hearings and reported H. R. 2455 favorably to the House. While H. R. 2455 should be speedily enacted, it is much broader in its terms, longer in its period of operation, and covers additional strategic materials. As legislation is urgently required to continue in effect the premium-price plan which expired on June 30 last, H. R. 1602 has also been favorably reported by the committee as a matter of expediency and with the view of insuring some legislation during the present session of Congress.

In effect, this bill extends the premium-price plan on copper, lead, and zinc for a period of 2 years from June 30, 1947, and authorizes the Reconstruction Finance Corporation to administer the premium payments on these urgently required strategic minerals. It authorizes payments not to exceed \$35,000,000 in each of the 2 years of its life. This is a reduction in the authorization of premium payments from \$80,000,000 in any one year as provided in H. R. 2455.

After careful study of this matter by the committee, many members of which have been closely related to this whole problem for many years, the committee was of the unanimous opinion that "en-

couragement and exploration programs especially is desirable and those programs already in force should be expanded and extended." The committee therefore recommended the speedy enactment of this bill.

Mr. ENGLE of California. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, there has been enough emphasis by people high in our Government in regard to the critical shortage in this country of strategic minerals and metals so that it should not be necessary for us to speak at very great length on that subject. The Secretary of the Interior from time to time has referred to this Nation as a have-not Nation in mineral resources. The President of the United States time and again has alluded to the fact that we are short on strategic minerals and metals. The fact which is not generally understood in regard to minerals and metals is that it is the mining of minerals and metals which create more minerals and metals.

There are those in the United States who say that the way to conserve our mineral resources is to shut down the mines, put a lock and key on the mines, and leave our so-called diminishing mineral resources in the earth. The answer to those people is that that is the quickest way to lose all that we have left.

As a matter of fact in the tri-State area, and this is one of the reasons for the importance of this bill, at the present time we have a great number of marginal mines in operation. If we do not continue their operation through such a program as this and it is necessary for those mines to close down, it means we lose all of the marginal resources in lead and zinc which we now have there—not for a little while, but forevermore. Once those mines have closed up, once they have caved in, it is going to be absolutely impossible and beyond all reasonable cost to go in and reopen them and get out the mineral resources.

Unless we continue this program, the premium-price program which we had during the war, subsidizing our mining industry, we are facing in this country the same question with reference to our mining industry which we faced with the wool industry. It is just a question whether or not this Congress wants to have a domestic mining industry. If you do not want to have it, the thing to do is to vote against this bill, to vote against the continuation of a premium-price program, and the domestic mining industry, as we have known it, will die out by itself, in the same manner as we expect that unless a bill is passed for the wool people, the wool industry of this country will come to an end.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield to the gentleman from Pennsylvania.

Mr. RICH. Does the gentleman mean to say that if this bill does not pass that the mining industry of this country will disappear?

Mr. ENGLE of California. I would say that a substantial part of it will go out of existence; yes.

Mr. RICH. Certainly, those few mines that are more expensive, or too expensive

to operate, they might go out, but you will have 80 to 90 percent of the mining industry that will stay in.

Mr. ENGLE of California. I do not think that is correct. I think we will lose more than that; in fact, I think we will lose a major proportion of our mining industry. In addition to that, we will not continue the exploration mining which is necessary to produce new mines and to bring into existence new industry in the mining field. That is one of the things which everybody, the Secretary of the Interior, the President of the United States, and the Bureau of Mines, and all those people interested in mining in this country concede is necessary.

Mr. RICH. Does the gentleman mean to say that new mines will not be established unless you guarantee 28 cents a pound for copper, 18 cents a pound for lead, and 18 cents a pound for zinc, 300 percent over what it was 10 or 15 years ago?

Mr. ENGLE of California. The gentleman is very much in error about how this program operates and I would like to explain that to the Committee because he has brought it up. Twenty-eight cents is the ceiling which can be paid. Any time that a marginal mine can get along on the price which is current in the market, it does not receive the premium. For instance, copper at the present time, or a short time ago, was bringing 21 cents a pound. Any miner who can operate his mine at 21 cents or under does not get the benefit of the premium-price program. If it costs more than that and up to 28 cents he does get the benefit of the premium-price program up to that limit. That has this effect, I would like to say to the gentleman from Pennsylvania, that as shortages increase and as the price goes up, there is a tendency for these marginal mines to come off of the premium-price program.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield to the gentleman from Arizona.

Mr. MURDOCK. Will the gentleman explain that the bill before us is not the bill that the gentleman from Pennsylvania was complaining about a moment ago? This does not set up a new department of government.

Mr. ENGLE of California. That is correct. The gentleman from Pennsylvania a few minutes ago made a speech against, I believe, H. R. 2455, which was an entirely different measure. H. R. 2455 was a general measure which had as its objective setting up a general and much larger program of some \$80,000,000 a year for the entire mining industry and covered a great number of strategic and critical materials and metals. It covered all of those strategic and critical materials and metals which are included under the Stock Piling Act. I want to say that I favor that bill. I am sorry we could not get it through, but because of certain complications we thought it wise to let it go at this time and proceed only with a continuation, a temporary continuation for 2 years, on a limited basis, of the premium-price program which we

have had for the three principal strategic materials, copper, lead, and zinc, for the whole duration of the war.

Mr. RICH. Mr. Chairman, will the gentleman yield further?

Mr. ENGLE of California. I yield to the gentleman from Pennsylvania.

Mr. RICH. Does the gentleman mean to tell me that the Secretary of the Interior is in support of this bill that you have brought up here this afternoon?

Mr. ENGLE of California. As far as I know, he is; yes, sir.

Mr. RICH. Well, he is not. He is not in favor of it. There is nobody on that side can get a letter from him saying that he is in favor of the legislation.

Mr. ENGLE of California. I will say this to the gentleman from Pennsylvania, the Assistant Secretary of the Interior, Mr. Chapman, came up and testified in favor of H. R. 2455, which would have put the program under his Department. He said he would go along and administer the bill. When we had to substitute this stop-gap measure, which is a continuation of the premium-price program, we did not have a chance to get an expression from the Secretary of the Interior, but it is not particularly his business, anyway, because this program is in the Department of Commerce and not in the Department of the Interior.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield to the gentleman from Michigan, a distinguished member of our committee.

Mr. CRAWFORD. May I say to my friend from Pennsylvania [Mr. RICH] that I can thoroughly appreciate and understand his general approach to this proposition. This bill first came in as a \$100,000,000-a-year proposition. It was amended to \$80,000,000 a year. A little later the proposition was submitted in the form here presented, which provides for \$35,000,000 a year for a 2-year period, and it covers certain specific basic materials.

I had some wrestling with this proposition, but let any man in this House or any man in this country go out today and try to buy materials consisting primarily of copper, lead, or zinc. Go into the marketplace and try to find those strategic materials for the use of the people of this country today. Consider your Stock Piling Act, consider the obligations which this country has assumed and is assuming all the way across the face of the earth, and then go out alone with yourself and God Almighty and figure out whether or not you want at this particular moment to close the marginal mines of this country and permit them to become flooded, and pass up the recovery of those ores for the time being in this hour of the responsibilities of the United States. That is what you have to decide upon here today. As far as I am concerned, I am going to support the \$35,000,000 measure.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ENGLE of California. Mr. Chairman, I yield myself 10 additional minutes.

I thank the gentleman from Michigan very much. In connection with the

figures he has given, I should like to read from page 17 of the hearings the testimony of Mr. Church, who is a consulting mining engineer of some repute. I shall not read all his qualifications because they are too long. This is what he says, and I think his facts are indisputable:

There is no nation on earth that can furnish these staggering tonnages of metal out of its own soil.

He was referring to our consumption.

So we have a report of the total supply available during the 5 years, 1941 to 1945, inclusive, about 44 percent of our copper, 36 percent of our zinc, and 46 percent of our lead, had its origin outside the United States. Of those imports, nearly all of the copper, about a third of the zinc, and about 40 percent of the lead, had to come from overseas.

He goes on to say that we were fortunate in the allies we had because we could get the material from them. He gives some figures here in regard to how many of our domestic mines during the war were on the premium-price program, and had to be on it in order to keep in production. Let me give you these figures. He says:

In October 1946 there were 887 mines receiving premium assistance under the premium-price plan, and only 24 mines not receiving assistance. Those 24 numbered among them the large low-cost producers. And the number of mines is not a measure of the proportion of production receiving assistance. That month only 24 percent of the total copper production was receiving premium assistance, about 88 percent of the zinc and about 64 percent of the lead.

So I say that these mines are going to close unless they get assistance; it is perfectly obvious from these figures that they cannot possibly continue. I am informed that since the premium-price program expired, and it expired on June 30 of this year, some 500 mines have closed down and some 6,000 men are out of work.

Some of the mines—not all of them, if you please, but some of them—are just hanging on, operating by the skin of their teeth, keeping in operation and keeping their crews intact and keeping the mines open and unwatered in the hope that this legislation will get through Congress so that they can keep on operating.

This program, involving as it does only \$35,000,000 a year for a period of 2 years, is little enough.

I yield to the gentleman from Utah.

Mr. GRANGER. As I understand this legislation, it is a continuation in part of legislation that we have heretofore had. Is that not true?

Mr. ENGLE of California. That is correct.

Mr. GRANGER. It was the thought that it was going to be the policy of Congress to pursue this sort of program. The gentleman, of course, understands that to be true. It was not only considered to be in the interest of the mining industry but in the interest of national security. I think that was adopted as the general policy when this legislation was passed a year ago. Is that not true?

Mr. ENGLE of California. That is correct. May I add to the gentleman's remarks that we will be extremely foolish as a nation if we permit ourselves ever again to be in the position that we were during the last war. We cannot afford to be subject in either peacetime or wartime to the uncertainty of importations from foreign countries which may be necessary.

Mr. GRANGER. I know the gentleman comes from the heart of the mining industry and knows the mining business. If a mine is closed, what happens to it? If you cease to work a mine, what happens?

Mr. ENGLE of California. If a mine closes and you cease to work it, the mine waters up, the timbers break down, and it is not possible without going to great expense to reopen that mine and start operations again. As a matter of fact, in the tri-State area today, consisting of Missouri, Kansas, and Oklahoma, if we do not continue this premium-price program, we are going to irrevocably lose our national resources there, which should be protected and saved for this nation. It just does not make good sense to let our natural resources go to waste in that way. We should get that material out of the ground while we can.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. RICH. If you are trying to protect the industries of this country and the mines, why do you not put a tariff on these products so that they can protect themselves instead of letting copper and other materials come in from foreign countries? If you think we need it so much, why do you not put a tariff on it? We are going to get the copper here. We are going to get it from all the foreign countries, and if you let it come in without a tariff, we will always be paying a subsidy on it.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. CRAWFORD. The copper situation is so critical that only a few weeks ago, as I recall, the House voted to remove the 4 percent import tax on copper. It is not a question of keeping copper and lead and zinc out of this country. It is a question of where in the world we are going to get the copper, lead, and zinc that we have already committed ourselves to deliver in the form of manufactured goods. And any man, any businessman especially, who goes out and sells himself short on his own basic materials is operating up the wrong stream.

Mr. RICH. Mr. Chairman, will the gentleman yield to me so that I can answer that?

Mr. ENGLE of California. I suggest that the gentleman get time if he wants to engage in debate, but I will be glad to yield to him for a question.

Mr. RICH. Anybody who is against this bill cannot get any time. You cannot get any time.

Mr. ENGLE of California. I will say to the gentleman from Pennsylvania that if he cannot get time to address the Committee on his side I will be glad to give him time from my side.



Mr. RICH. I would like to have 10 minutes.

Mr. ENGLE of California. I will yield the gentleman 5 minutes as soon as I conclude.

Mr. RICH. I thank you, sir.

Mr. ENGLE of California. In further answer to the statement of the gentleman from Pennsylvania, may I say that you cannot get the copper and you cannot get the lead and you cannot get the zinc from foreign countries, no matter what you do. They do not have enough. As to tariff protection which would be high enough, we simply cannot hope to get it. We have to be practical and we know it is not possible. In addition, it would cost the consumers much more for these materials. We believe the mining industry must have help and that this is the most practical and economical way to do it.

Mr. CARROLL. Is it not true that in our committee we have had a number of hearings by the Army and the Navy Munitions Board, and this Congress has appropriated some \$300,000,000 to stock pile critical materials and they do not know where to go to get it, and we are now trying to expand our domestic economy in mining so that they can get materials for stock piling. Has that not been advanced before our committee?

Mr. ENGLE of California. That is correct. This program, and, in fact, the bigger program which was envisioned by the gentleman from Nevada [Mr. RUSSELL], but which we did not bring out at this time for practical reasons, dovetail into the program of stock piling strategic and critical materials, which has been approved by this Congress time after time.

Mr. CARROLL. I think the Members of this body ought to know that the stock pile we had heretofore has been given out to industry, and we do not have sufficient stock piling for our own national defense. One of the means of implementing that very program is this legislation.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. MITCHELL. Do we have any assurance that these minerals will be stock piled, rather than converted and shipped out of the country, provided we pass this bill?

Mr. CARROLL. Will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. CARROLL. I understand the testimony in the hearings—we were critical of men who head the Army and Navy Munitions Board because we thought they were not fully using domestic production in this country, and we wanted them to do this very thing: to go out and encourage mining so as to keep these mines open. The gentleman has mentioned a very important point. You cannot leave these mines alone. They cannot be abandoned. If they are, they will water up. They will break down.

Now, to answer the question whether it will go out of the country, I do not think they will go out as minerals. It is possible they will go out in manufactured products, but point 1 is this: We need for our own economy more metal.

Point 2: We need to stock pile for national defense. This is one of the ways to do it, keeping these high-cost mines, these marginal mines, functioning in this critical period.

The CHAIRMAN. The time of the gentleman from California [Mr. ENGLE] has again expired.

Mr. ENGLE of California. Mr. Chairman, I yield myself five additional minutes.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. PLOESER. While I am in support of the continuance of these mines in operation, I do not think that a false impression should be left that this bill has anything whatever to do with stock piling. It is not true. This does not compel the Army and Navy Munitions Board to stock pile anything. This merely provides a subsidy which permits these metals to come into the market, with all other metals. According to the present rate of consumption, the probabilities are it would be used for normal commercial channels.

Mr. ENGLE of California. I think that is correct, but I think the gentleman will also concede that it will supplant the general program, because the Army and Navy Munitions Board says that now they cannot get the things necessary to stock pile. We are in such short supply that we cannot take care of the essential needs of our industry, much less piling up anything to protect us against a future emergency. So the sooner, by encouraging our own domestic industry, we meet the essential needs of our own market, the quicker we will have a better chance to proceed in the field of stock piling. Otherwise, we will never get a stock pile.

Mr. PLOESER. If the gentleman will yield further, I think it should be explained that even the production that might be expected as a result of this bill will still not meet the consumer demand in America at the present time and it will still not put the Army and Navy Munitions Board in any position to buy stock pile, unless they run the price up in the market, and they are not expected to do that. So you might expect that even with the passage of this bill the Army and Navy Munitions Board will follow their seemingly preferred practice of buying foreign and not domestic. This bill alone will not supply a sufficient amount to supply the domestic market.

Mr. ENGLE of California. I thank the gentleman for his contribution.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. BUCK. My understanding is that the peg price during the war was 11.87. Will the gentleman tell me what the peg price amounted to, plus subsidy, during the war?

Mr. ENGLE of California. The peg price of copper?

Mr. BUCK. What did that amount to, plus the subsidy? How much per pound was the subsidy on copper?

Mr. ENGLE of California. It would depend. The top price as I recall was

12 or 13 cents. Is that correct? I ask the gentleman from Nevada.

Mr. RUSSELL. That is correct.

Mr. ENGLE of California. The premium, or subsidy, varied. In other words, if a mine could operate at 15 cents a pound it would get a 3-cent subsidy.

Mr. BUCK. Was there no maximum subsidy?

Mr. ENGLE of California. The maximum brought it to 28 cents, just the same thing as is provided in this bill. But we must bear in mind that the market price of copper has gone to 21½ cents, so the actual differential between the market and the ceiling which is provided in this bill is now only 6½ cents, whereas during the war it was the difference between 13 and 23 cents. That is true also in a lesser degree in the case of lead and zinc.

I now yield to the gentleman from Nevada [Mr. RUSSELL] a member of the committee.

Mr. RUSSELL. Will not the gentleman from California agree that the greatest support this Nation can have and probably one of the greatest stock piles is the active production of these mines from now on, which would close down unless the premium price is offered?

Mr. ENGLE of California. The gentleman from Nevada has made a very splendid point and that is that the biggest stock pile we can have in this country is a backlog of producing mines.

Mr. RAINS. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. RAINS. If copper, lead, and zinc are so short what is the need for having a support price?

Mr. ENGLE of California. Because cost has just simply gone so far ahead of price that they have not been able to produce these materials, copper, lead, and zinc at the market price.

Mr. RAINS. This would be a premium-production program instead of a subsidy, would it not?

Mr. ENGLE of California. That is correct; it could be so designated.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ENGLE of California. Mr. Chairman, I yield myself four additional minutes.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. DURHAM. I appreciate the gentleman's statement. He has made a very fine statement on the bill but I think it would be well to inform the Committee as to what percentage these marginal mines have earned under the subsidy program up to the present time? I am sure he has that information. Their earnings were about 1.5 percent.

Mr. ENGLE of California. I am very glad to have that statement and appreciate it.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. MANSFIELD. Is it not true that if this program is not continued these small marginal-producing mines will be forced to close down; and if they close down their timbers will cave in, their ground will cave in, they will become

filled with water? They will not be able to open up again except at tremendous cost.

One of the real reasons I am in favor of this particular kind of program is not only to help the small marginal producer but also, and this is very important, to carry on the necessary development work which we need to find more ore, which we need to stock pile for military strategic purposes, and which we can use industrially in this country.

Mr. ENGLE of California. That is correct. The gentleman from Montana has made a very good point. As I said earlier in this presentation, the thing people do not understand is that mining produces ore and produces more mining, and whenever you close a mine down you not only stop production of ore but also retard development.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield.

Mr. CRAWFORD. It is a fact, is it not, that this Government did take from its stock piles, this reserve it had created of copper and released that copper to the trade so that the demands of our people could be met to that extent?

Mr. ENGLE of California. I understand that to be the fact. Also the Army and Navy Munitions Board has stayed out of the market because they did not want to crowd domestic consumption.

Mr. CRAWFORD. Let us get this flow sheet straight in our minds. The defense arms of the Government surrendered its stock pile to the civilian population. Why? Because of the shortage of goods, so that employment could go ahead, so that production could go ahead. We have got to think straight on this thing. If the defense arm of our Government will do that because there is a shortage of basic materials in the market, do you think that same defense arm of the Government will not go into the market and absorb the material away from the consuming trade?

Mr. ENGLE of California. No.

Mr. CRAWFORD. So the gentleman's argument is a double proposition. If you can keep in the market your home production and have imports brought in, a sufficient supply to meet the civilian demand, and permit the defense arm of the Government to accumulate a stock pile, that is the objective we want to work to.

Mr. ENGLE of California. Yes.

Mr. CRAWFORD. That is why we took the excise tax off, so imports could come in. We have a shortage of these supplies as evidenced by the fact that if you go out and try to buy an electric motor, a 3-horsepower electric motor, you cannot do it. You will see what you are up against. That is, up until the last few weeks. You have a shortage of the production of motors on account of lack of copper. You have a shortage of batteries because of the absence of lead, and so on down the line. This is to keep your production coming, both home and in imports from abroad, so as to build up your current demand, hoping that some day you can restock your stock pile.

Mr. ENGLE of California. I thank the gentleman for his contribution.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ENGLE of California. Mr. Chairman, I yield myself five additional minutes.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield to the gentleman from New York.

Mr. COUDERT. Is there anything in the committee hearings to indicate the position of the Army and Navy in this matter? That question may have been asked by someone else, but I do not remember it.

Mr. ENGLE of California. I am not so sure if it is in the printed hearings which we have here, but during the course of hearings in connection with this and other matters we have testimony from representatives of the Army and Navy Munitions Board and they feel this legislation would be helpful to them and helpful to their program as a supplement to it.

Mr. COUDERT. I take it that the Army and Navy, neither one of them, asked for the enactment of this bill?

Mr. ENGLE of California. I did not understand that. The gentleman will have to repeat the question.

Mr. COUDERT. I gather from what the gentleman said that the Army and Navy did not appear before the committee and ask that a bill of this character be enacted?

Mr. ENGLE of California. They did not, as far as I know.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. Irrespective of whether the Army and Navy asked for the passage of this bill, is it only natural to assume that they do not want a great shortage of copper, lead, and zinc in the event of war?

Mr. ENGLE of California. I think it is perfectly obvious they would not want a great shortage of copper, lead, zinc, or any other strategic material.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. ENGLE of California. I yield to the gentleman from North Carolina.

Mr. DURHAM. It is not necessary for the Army and Navy to appear before the committee and ask for this legislation because at the present time they have Public Law 590 which provides them a stock pile. They can purchase, buy, and transfer through the Reconstruction Finance Corporation. This is helpful because it produces more lead, zinc, and copper. Naturally, they are going to have to go into the market, either in this country or offshore, and purchase it. None of it can be purchased and today there is not a pound of it in the stock pile.

Mr. ENGLE of California. Mr. Chairman, may I say in conclusion that it appears to me this is the minimum legislation which we should adopt for the protection of our own country, in order to prevent our being made dependent upon a foreign source for these materials, not only now but in the event of a great national emergency. It is the very minimum we could do. In the intervening

2 years this Congress should undertake a study of an over-all mineral-resource program which will safeguard the national resources of this country over a long period of time, not merely for a stopgap period of time. I hope this bill receives your favorable consideration.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Nevada [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, at the start of the war or shortly thereafter this Government went to the small mining groups throughout this Nation and asked their support to produce as much minerals as they could. It is true that they operated under a premium-price plan because the price of metals was frozen, yet at the same time those mines went out and produced great quantities of copper, lead, and zinc to aid this Nation during the time of war. Those mines skimmed the cream of the mineral resources that they had underground, and the urgent need for metals and the premium that was paid did not give them the opportunity to go in and develop and explore new ores to replace the ores that were taken out to aid this country in a great emergency. Even at that time the mines of this country were unable to produce enough ore to carry this Nation on. As has been pointed out, 44 percent of the copper, 46 percent of the lead, and 36 percent of the zinc had to be brought in from other countries to meet this country's war needs.

We are now faced with the condition that confronts one-third of the mining industry of the United States. I would like to quote from the figures of C. O. Mittendorf, director of the premium-price plan, who has stated that of the 488 lead-zinc mines reporting to the Bureau of Mines in January, 469, or 96 percent, required subsidy payments on the March output, and from there on, and unless at this time some plan is continued to give aid to those mines throughout this Nation, 52 percent of the lead mines, 73 percent of the zinc mines, and 5.4 percent of the copper mines of the Nation will shut down.

This bill deals with what we term marginal ore. It is ore that is in the ground that does not quite come up to the market price and which needs, as some term, a subsidy. We are dealing, when we speak of subsidy, not in the same terms as when we speak of agricultural products, because agricultural products can be reraised but minerals are irreplaceable. Once we take minerals out of the ground they cannot be replaced. Passing this bill forms a new source of wealth for this Nation.

I would like to point out here that for every dollar's worth of minerals produced in the United States, it creates \$5 of over-all wealth from the time it is mined until it is fabricated. We are not dealing in subsidies of the type of replaceable items, but we are dealing in metals, in new mineral wealth that is irreplaceable.

Reference was made to H. R. 2455 which I introduced earlier in the session, and to the hearings on that bill. There is a big difference between H. R. 2455 and H. R. 1602 as introduced by



the gentleman from Illinois [Mr. ALLEN] and amended. H. R. 2455 would set up a new Mineral Resources Division, while the bill offered by the gentleman from Illinois [Mr. ALLEN], H. R. 1602, is a direct continuation of the premium-price plan for 2 years.

Mr. Chairman, I would also like to point out that under the past operation of the premium-price plan that some \$2,000,000,000 worth of redeemable minerals were mined at but the cost of a few millions of dollars, minerals which would have been left in the ground untouched, and those \$2,000,000,000 in minerals contributed largely to our winning of the war, and also added that much more to the mineral wealth of our Nation.

The question of stock piling has come up repeatedly during the debate on this bill, and it has been inferred that the stock piles in this Nation of copper, lead, and zinc are practically nil. We must remember that under the Stock Piling Act the Army-Navy Munitions Board can only purchase domestic copper, lead, and zinc if and when there is a surplus of those three strategic and critical minerals over and above the needs of industry. We all know that industry today is faced with a shortage of the three metals; as a matter of fact, the RFC has had to sell all of its lead, practically all its copper, and a large portion of its zinc to alleviate shortages of those metals in industry.

Let me point out that it has been estimated that for the ensuing year industry will use 1,500,000,000 tons of copper, 760,000 tons of lead, and 795,000 tons of zinc, and yet under normal production of those three strategic and critical metals this Nation produces 851,000 tons of copper a year, 371,000 tons of lead, and 644,000 tons of zinc. These figures are based on a 6-year-period average.

If then we curtail a third of the mining of this Nation now by not utilizing our marginal ores, which this bill makes possible, this Nation will face an even greater shortage of the three metals—and just where can we be assured of adequate supplies for industry, let alone stock piling? If an emergency should arise, such as the last war, we, and I mean this Nation, would be in a far more critical situation relative to mineral supplies than it was at the outbreak of the war in 1941, and you will recall shortly thereafter then it was even necessary to call upon the marginal mines to supply a large percentage of our mineral needs.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield to me to make a statement?

Mr. RUSSELL. I yield.

Mr. PLUMLEY. In answer to the gentleman from New York, who inquired as to whether the Army or the Navy appeared before this committee relative to stock piling, I spent half an hour last Sunday evening listening to rehash of many things that I have known for 7 years coming out of the mouths of the Assistant Secretaries of War and Navy insisting that we have a stock piling of essential minerals and metals.

The CHAIRMAN. The time of the gentleman from Nevada has expired.

Mr. ENGLE of California. Mr. Chairman, I would like at this time to yield

5 minutes to my distinguished friend from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, certainly we do not have enough lumber, we do not have enough coal, we do not have enough wheat, we do not have enough corn, we do not have enough of many foodstuffs, and we may not have enough minerals. We may be short of many things in this country after the great war we have gone through, but that does not mean that we have to stock these things up immediately in order to prepare for some eventuality. If we did, we would all be for anything we could do to get the materials we need. But it is just the great demand we have upon industry now that causes a shortage of most of these materials. Let us get a little common sense into this thing once and just see what we are doing here.

As I stated a while ago, the OPA price that was set on copper was 13 cents a pound. The OPA price on lead was 6½ cents. The OPA price on zinc was 6½ to 7 cents. What are you doing in this bill? You put the price of copper from 13 cents to 28 cents, an increase of 15 cents a pound over OPA prices. You talk here about trying to hold down prices. Do you mean it? Do you want to hold down prices, when you increase the price of copper over 100 percent over the OPA price?

Mr. RUSSELL. Mr. Chairman, will the gentleman yield?

Mr. RICH. No, I will not yield, I have not the time. I thank the gentleman from California on my right for giving it to me.

Then we have lead, 18 cents a pound now, when the OPA price was 6½ cents. That is an 11½-cent increase in price over the OPA price. You find the same thing applies to zinc.

If there is any common sense in that, then I do not know what it is, in increasing prices so high. If the Members are going to foster this kind of legislation, you ought to turn back and turn back mighty quick, because you are headed in the wrong direction, you are only headed for socialism and communism in this country. I do not want to belong to any party that is headed in that direction, but I am going to stay in the Republican party and I am going to fight you to the end to stop legislation like this. I want you to know that, because I am too much of an American to get off the track as you fellows are doing in such legislation at a time like this.

The members of the Lead Industries Association produced 230,000 tons in 1946. That was 70 percent of the total mine production in this country, reported by the United States Bureau of Mines. In addition, the Lead Industries Association include 42 lead-consuming companies, both large and small, in its membership. They are against this bill.

I have letters from mining associations opposing this measure. I have already pointed out that the Lead Industries Association, which represents the biggest percentage of the lead miners, opposes it. I am informed that the Mining Association of Montana in 1946 passed resolutions opposing any extension of the premium price plan. The Northwest Min-

ing Association passed a similar resolution in December of 1946. I also understand that there was so much difference of opinion among the Utah Mining Association that they submitted to their Senators and Congressmen another proposal, greatly different from this bill, which has been introduced by Senator WATKINS in the Senate.

A survey made by the Engineering and Mining Journal recently, the results of which were reported to the American Zinc Institute on April 29, 1947, by Evan Just, editor, states that—

According to this survey, all classifications in the zinc industry—low cost or high cost—large or small, western or eastern, miner or smelter, simple or integrated—are divided over the question of direct subsidies to producers as a permanent policy.

The report also stated:

Most of the industry is clearly protection-minded, and many subsidy advocates would prefer tariff if they thought enough could be obtained.

I could go on here and give you the names of many more people who are against this legislation. Above all things, let us stop these subsidies. Here are six reasons why subsidies should be stopped:

First. Under the Stock Piling Act, cannot the Government, if it wants to, pay what is necessary to get metal for stock piling and thus contract with marginal producers for stock-piling purposes wherever it thought that ore might be lost if mines shut down?

Second. Is not this bill apt to lead to permanent subsidies, to nationalization of mining in this country, and to the virtual loss of control of their business for even those who seek help from the bill?

Third. Why is this bill limited to metals and minerals specified and why does it not include such essential things as coal, oil, and iron ore?

Fourth. Will not this bill increase the current shortages of some of the metals and minerals covered by keeping labor occupied in inefficient mines when those mines which are efficient could really produce more of these metals but are short of labor?

Fifth. Will not it, also exaggerate shortages by encouraging the mining of low-grade ore?

Sixth. Why should we consider paying subsidies to mines at a time when metal prices are at or near record heights?

Be wise, stop subsidies; get back to law of supply and demand to regulate prices. Do it quickly before we wreck our financial structure.

Mr. WELCH. Mr. Chairman, I yield 7 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Chairman, we all want to cut the cost of Government to the bone. We want to reduce taxes. We want to balance the budget and get our Nation back on an even keel. Normally, I think most of us are opposed to subsidies or even premium payments if that is a more pleasant and less injurious phrase.

However, this bill now before us for consideration deals with critical and strategic materials, of which we have

such an acute shortage today. Twice in our generation we have fought two world wars; and in order to achieve victory, we pumped many of our oil wells dry and we dug the lead and zinc out of the earth and the copper out of our mines in Montana, Utah, and Arizona, and even our iron ore on Mesabi Range in Minnesota is not what it once was. This, naturally, should give us all great concern.

I happen, of course, to represent the 15 counties in Southwest Missouri. My good friend and colleague the gentleman from Oklahoma [Mr. SCHWABE] represents the northeastern section of that State, as my friend Mr. MEYER represents southeastern Kansas.

That tri-state area of Missouri, Kansas, and Oklahoma, produces 40 percent of the Nation's output of lead and zinc. We have \$30,000,000 invested in mining machinery and equipment. We made an enormous contribution to the winning of this war. But this is not a local matter. The people in New York, Michigan, Wisconsin, Illinois, and the people in practically every western State are vitally interested in the mining of lead, zinc, and copper.

The Government already has invested millions of dollars. The Federal Government has invested millions of dollars to help open these marginal mines to increase the output. If these mines are not continued in operation they will cave in and fill with water, and we will suffer total loss of these precious metals. The whole Nation is affected. Every man here who drives an automobile has to buy a battery, and my brother who is in the business cannot buy batteries today because of the lack of lead.

Every farmer who buys a pail or a tub has to pay a high price because of the shortage of zinc. Whenever any person in this country paints his house he pays a high price because of the scarcity of lead.

As a member of the Committee on Armed Services, I am going to be a little critical of our Army and Navy Munitions Board. Over a year ago the able gentleman from North Carolina [Mr. DURHAM], who knows more about stock-piling than any other Member of the House, got a bill through our committee and through the Congress appropriating more than \$300,000,000 in order to build a stock pile; and, gentlemen, the admirals and generals tell you today that we have nothing. We are worse off at this hour than we were at the time of Pearl Harbor. On December 7, 1941, we had 500,000 tons of rubber. Today we have only 180,000 tons.

I hate to admit it on this floor, but it is high time to serve notice on the Army and Navy Munitions Board that they had better get busy and get some stock piles of lead, zinc, and copper, which are so essential not only in peace, but particularly in time of war.

Every farmer, every family who lives in the rural areas of Bob Rich's district, needs copper wire. The Rural Electrification Administration is unable to build lines because they do not have the supply of copper. The gentleman from Pennsylvania said that we do not have enough corn and wheat and we do not

have enough of this and that. The truth of the matter is we have a surplus of wheat. That is an exportable commodity, but we still subsidize it. The Federal Government spent \$80,000,000 last year to support the price of potatoes and then we go out and destroy thousands of tons of potatoes. I want to say to the Members of this House that lead and zinc and copper are in an entirely different category. We do not have a surplus of these critical and strategic materials, which all of us use in our daily life, and which the Nation cannot get along without during a time of war. Instead of having a surplus we have an acute shortage, and unless we continue the operation of these mines, not only in Missouri, Kansas, and Oklahoma but in Illinois and Wisconsin and practically every other Western State, we might wake up and find ourselves in a dire predicament, much worse than we were on December 7, 1941.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Utah.

Mr. GRANGER. Does not the gentleman think we are forgetting the great revolution that has been made in our farming, and in our civilization generally, that we cannot even estimate how much of these materials we will use? I venture the prediction that never again will we produce enough of those things to satisfy our peace needs, let alone war needs.

Mr. SHORT. I think the gentleman is correct.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Colorado.

Mr. HILL. It has been my observation that the Army can find plenty of time and plenty of money and plenty of energy to go about this country promoting a plan to jam down this Congress universal peacetime military training. Is it not 10 times more important that they spend their time and energy getting strategic materials lined up so that if we should be attacked we would have sufficient lead, copper, and zinc to provide for our military needs?

Mr. SHORT. I agree with the gentleman 100 percent.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. SHORT] has expired.

Mr. WELCH. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. SHORT. Now, do you know what is happening down in the tri-State area, represented by Mr. SCHWABE, Mr. MEYER, and myself? Since the 30th of June, since the 1st day of this month, I will tell you what has happened. For the past few years we have been producing 6,000 tons of zinc concentrates every week. The week ending July 12 we produced 974 tons, or less than one-sixth.

Normally, we produce over a thousand tons of lead concentrates, weekly, in that tri-State area. In the week ending June 12 we produced only 121 tons. The truth of the matter is that thousands of miners have been thrown out of employment, and they have to go on the relief rolls.

I want to quote to you from the Joplin News-Herald of July 2, 1947, which states:

A long line formed at the Miami office—

That is in Oklahoma—

the Miami office of the United States Employment Service this morning as miners, thrown out of jobs by closing of mines and mills of more than 40 tri-State companies, sought jobless pay. Many miners also appeared today at the Joplin Employment Service office making applications for unemployment pay.

I want to say to you gentlemen, if these mines are forced to close and these thousands of miners are thrown out of work, it will cost this Government almost as much in unemployment compensation or relief as it would take to continue the operation of these mines and get the necessary metals.

This bill should be passed unanimously. I cannot understand why my good friends Bob Rich and Buck are against it.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. SHORT] has again expired.

Mr. ENGLE of California. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, for 10 years and more I have been striving to stock pile strategic materials, minerals, and metals for our national security and protection.

This bill goes a long way toward doing that very thing. How well do I remember: the long, hard fight we had, and only partial success we had, to get domestic production for the defense program before the war, for the fighting of the war through its duration and now for adequate national defense in this critical postwar period.

In May 1937, as the House Military Affairs records will show, I begged for American production of these vitally necessary things from our domestic mines, and also later when the Faddis bill was before the House, I urged the buy American principle and asked that its provisions concerning getting these things abroad be changed from mandatory to permissive. I thought then and have always thought that we should get that which we could not produce at home and must have for our security where it could be obtained, and concurrently we should produce as much as possible from our own sources. I asked then and ask now, Why place ourselves at the mercy of a possible enemy, or of an enemy as recently?

During World War II we needed bauxite and attempted to get a part of our supply from a country in South America. I am told that less than 10 percent of our ships carrying that material across only a limited portion of the sea were able to escape wartime dangers and deliver their cargo. We never could have had such volume of airplane production if we had depended altogether upon foreign bauxite. This indicates the danger of such shortsightedness.

Mining production is of such a nature that it cannot be turned on or off easily as water in a pipe. For adequate safety in war, and to a certain extent in peace,



our Nation must not only have a natural supply of these vitally needed things and know that we have them in the ground, but we must also have a continuing production not dependent upon foreign sources. The purpose of this bill is to put and keep America in that position.

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Chairman, I wish to preface my remarks by stating that I own stock in St. Joseph Lead and in Anaconda and in Kennecott.

Mr. Chairman, this bill would extend for two more long years a wartime emergency measure adopted first back in 1942. It would pay subsidies to certain producers of copper, lead, and zinc, metals which are at or near all-time peak prices.

When the premium-price plan operated during the war, these metals were covered by ceiling prices much lower than prices are today. Copper during most of the war was pegged at 11.87 cents per pound, lead at 6.5 cents per pound, and zinc at 8.25 cents per pound. Now the comparable prices are 21.5 cents, 15 cents, and 10.5 cents per pound, respectively. That means an 81 percent increase for copper, 131 percent increase for lead, and 30 percent increase for zinc.

Who can justify the use of \$35,000,000 a year for two more years, or \$70,000,000 altogether, of the taxpayers' money to pay subsidies under such market conditions?

During the war with price ceilings in existence, such subsidies may have been justified. Now, in a free market in peacetime, they are neither needed nor desirable. Subsidies tend to promote inefficiency in mining. Why be efficient when the Government foots the bill? Subsidies tend, under today's conditions, to reduce production, not only by discouraging efficiency, but by encouraging the mining of lower grade ores, resulting in lower output per man-day. This at a time when the mining industry is some 20 percent short of its full labor supply.

And if it is argued that this bill is in the interests of national defense, I would like to ask what provision in it assures that any subsidized production will be used for national defense? Nothing. No, instead the taxpayer subsidizes not only a few miners but the consumers of these metals, because all the metal produced under it is sold through the usual market channels and not to the Army and Navy.

I would like to point out that many of the low-cost, efficient producers also have some high-cost properties which they can work and receive subsidies for under this plan. Several large mining companies of which I know, now showing large profits exclusive of subsidies, would receive several hundred thousand dollars a year in subsidies under this bill. Is that the way to use taxpayers' money when we are trying to reduce taxes, Government debts and the costs of Government?

It will be argued that if some high-cost mines are not paid subsidies, they will shut down, never again or only at great expense to be reopened, and that their ore reserves will thus be permanently

lost. I maintain that the history of mining is one of closing and reopening many mines as market conditions change. Most of the mines that have been getting subsidies have closed and reopened more than once and were certainly not operating during the depression years of the thirties. Is it not better to keep those reserves in the ground for emergencies than to mine them under uneconomic conditions? One mine has just reopened under today's conditions without subsidies after 56 years of idleness.

I cite that in answer to a statement by one of the gentlemen here this afternoon that a mine closed down for a few years can never reopen again because the timbers rot, and so forth. This mine was 56 years idle and has just reopened in order to get in on the high prices that are prevailing today in the metal market.

But above all, the principle behind this bill is, in peacetime, un-American and contrary to the free enterprise system which has made our mining industry the greatest in the world. When if not now will we ever get away from the alien principle of subsidies? Are we to extend this temporary expedient for 2 more years? We have had it for 5 years. Even a year ago we extended it only 1 year to allow a transition from a wartime to a peacetime economy. Then we still had ceiling prices. Now we have a free market, ceilings have been gone for many months and prices have risen, the war has been over for nearly 2 years. Another 2 year extension of subsidies and we will virtually have a permanent subsidy plan. It is time to end these subsidies now.

Mr. Chairman, in conclusion, I feel that the people of this country spoke in no uncertain terms with regard to subsidies. They wanted an end to subsidies. Yet we are going to continue them year after year. If subsidies are to end the time to end them is now.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Missouri.

Mr. SHORT. When you have your tonsils extracted you want the doctor to do a clean job. You do not want any stubs left in there. If you cut too deep you get to the jugular vein. I want subsidies ended at the first possible moment. But the mining industry is a sick industry. A sick man does not get out of bed and run a foot race. He has to go through a period of convalescence. We should extend this for another year.

Mr. BUCK. That reminds me of the fact that sometimes it makes a difference whose ox is gored.

Mr. SHORT. It certainly does.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, it is said by my good friend from Pennsylvania that he is a Republican teaching Republican doctrines. I assume that if he carried his argument to its ultimate conclusion he would really preach the Republican doctrine and urge the imposition of a tariff sufficiently high to enable these high-cost producers of ore to oper-

ate at a profit. It does not seem to me that is a very sound argument to present in opposition to this bill.

I have great admiration and respect for my good friend from New York, but he betrayed one weakness in his argument that is rather significant. He said that he is a stockholder in certain mines. I know perhaps that that is true. He further stated that there were some of the low-cost producers, big producers, that had mines which cost a lot of money to operate and they would get back into business and operate those mines if this program were continued. That, it seems to me, is an argument for this bill.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I do not yield at this time. The gentleman has spoken at length on this bill and I have had no opportunity to speak until this minute.

It seems to me that what this bill is designed to do is to recognize the fact that there are ore bodies in this country, and mines in this country which it is uneconomic to operate unless the producers operating those mines can do so at a reasonable profit. Now, I happen to know that down in the southwestern part of my State there are a lot of zinc mines and a lot of them will have to close up, if they are not already closed, unless this bill passes, and despite what the gentleman said about the one that after being closed down 56 years has now reopened, the experience in that area is that once one of these shallow mines closes down and fills with water, it is through, and you are not going to have the benefit of that low grade ore and you are not going to have it in a time of crisis.

Now, what we are up against is simply this: Copper does not go away after you once smelt it and get the ore out. Neither does lead or zinc. It is not like the Army and Navy Munitions Board buying copra or coconut oil. The fact is that there is a tremendous shortage of these three things, not only for consumer use, but we do not have anything set aside as a stock pile in this very dark and dangerous hour that is facing the Nation. I think the argument that my good friend from New York has just made would be a pretty sound argument were we not facing the world situation that is confronting us today. I want to tell you, my friends, that I am influenced by that situation more than anything else to see to it that we do not lose a single pound of any of these critical materials.

Now, you say there is no assurance that any of this copper or this lead or this zinc will be used for Army and Navy purposes. Well, if there is no assurance, then we have lost a lot of time passing the law that we passed, because that Board has the money and is in the position to go out and requisition and buy this material and stock pile it for Army and Navy munition material, and I know that they are in a position to do that and intend to do it.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from New York.

Mr. BUCK. I want to ask the gentleman if he thinks that copper, lead, and zinc would disappear if you permit it to remain in the ground.

Mr. KEEFE. I do not think it would disappear if you permit it to remain in the ground, but I want to say to the gentleman this, that you are not going to recover it; that is the point. These little mines that are dug down there in the southwestern part of Wisconsin, once they fill up with water and the timber rots and the thing caves in, you are not going to have that tonnage, and they are there now and they are operating. While I have not a single one of these mines in my district, I think that we will be making a very, very short-sighted approach to this matter if we attempt to take the argument of my friend, the gentleman from Pennsylvania. Wait until you hear some of the arguments tomorrow when this deficiency bill comes in and you will get a little bit of a picture of the world situation, and I think you will be happy that the bill does pass. That is all I have to say.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. MARTIN].

Mr. ENGLE of California. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Chairman, I appreciate very much having this time from both sides of the aisle because what I say here I hope is not considered partisan in any sense of the word. I have had considerable experience in matters of strategic and critical materials in my service on the Committee on Military Affairs. The first conference committee I served on in the House was 8 years ago last spring, Public Law 117 of the Seventy-sixth Congress. During the discussion of that matter before the conference committee we received a report from the Army and Navy Munitions Board giving their decision on January 7, 1939, that copper, lead, and zinc were classified as essential materials, but neither strategic nor critical. By the time last year came along we were working on Public 520, on which the gentleman from North Carolina [Mr. DURHAM] did such an outstanding job. We found that they had moved those articles up into the critical and strategic classification.

What happened between those two periods of time that brought about that change in classification? I remember the most dramatic session the Committee on Military Affairs had in all of my experience in those secret sessions with Gen. Leonard Ayres, the economist from Cleveland, when they told us we had our backs to the wall. I remember the situation regarding copper in particular. We had struggled through 2 years of the war to discover a way to make large shells without copper-shell casings. That relieved us of the need of one-third of our requirements of copper. They also went ahead and later developed a method to make shell casings for the small-caliber ammunition without the need for copper. That relieved us of an additional one-third of our needs for copper for ammunition making. I then asked Gen. Leonard Ayres, "I suppose

that with the reduction of two-thirds of our need for copper we are now sitting on the world and safe as to our need for copper for wartime." To my amazement General Ayres reported to me in answer to that query that we were still in a desperate situation; we did not have enough ammunition and we were at the mercy of our later ability to get ammunition to our troops abroad. I do not need to tell you now how desperate that need was at the time of Pearl Harbor, but I am talking now about 2 years after Pearl Harbor. That is how the Army and Navy Munitions Board finally learned a lesson and moved copper, zinc, and lead from the essential class into the strategic and critical class. Those were dramatic times. You cannot send barefisted men out to fight wars without ammunition.

I have a wholesome regard for the situation as far as national defense is concerned. There is not a mine in my district. I am acquainted with this subject by working for years on Public, 117, passed in 1939, and on the Faddis investigating committee following that, in 1941, when we had to investigate why they had not stock-piled materials with the approach of Pearl Harbor.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Iowa. I yield to the gentleman from Pennsylvania.

Mr. SIMPSON of Pennsylvania. Does this bill provide 1 pound of copper for stock piling?

Mr. MARTIN of Iowa. No, that is not this bill. This bill is to make our domestic supply more adequate, out of which we can hope to fulfill some part of our stock-pile program.

Mr. SIMPSON of Pennsylvania. Is not a part of our domestic supply that copper which remains in the ground?

Mr. MARTIN of Iowa. Yes. That copper was available to the Indians, too, back in the days of the Indian wars. Maybe one reason the Indians lost that war is that they had not developed it.

Mr. SIMPSON of Pennsylvania. If we supply our needs from overseas shipments, do we not have the copper from out of the country plus what we reserve in the ground here?

Mr. MARTIN of Iowa. Absolutely, but try to get it, try to get enough. I do not want us to be dependent upon a foreign supply. I was instrumental in taking out of Public, 520, paragraph 10, after the State Department put it in there, to make foreign materials tariff free. I was instrumental in putting in Public, 117 of the Seventy-sixth Congress the "buy American" clause. I want to develop American supplies, where we have control. That is a part of our national defense. I will not be swerved by any textbooks they have up at West Point. I read one the other day. They said a powerful lobby brought about that "buy American" clause. I am the man they are supposed to have lobbied. I will tell the world one thing. Not one mineral man lobbied me one iota. I was talking in straight-from-the-shoulder terms on national defense and the development of our domestic supply so that we can control the supply when we get into an armed conflict, and it did not take any powerful

lobby to bowl me over. I want some day to take the Army and Navy officials to task for that asinine statement in their textbook which they are now using at West Point which contains that damnable lie because I am the man that the so-called powerful lobby was supposed to have lobbied. And I know what I am talking about.

I yield to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. The gentleman also knows that if we have more copper, lead, and zinc, the only way to get it is to mine it.

Mr. MARTIN of Iowa. Absolutely.

Mr. SHORT. And you have to have a going, thriving industry in order to carry out exploration and new discoveries.

Mr. MARTIN of Iowa. Absolutely. I agree with the gentleman. The gentleman knows what he is talking about because he has served on that committee for many, many years.

I yield to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Is it not a fact that we have a stock pile of copper, lead, and zinc at the present time which the Government is holding and which many industries are desirous to have and are trying to get the Government to give these metals to the industries?

Mr. MARTIN of Iowa. When we wrote Public Law 520 we had originally provided in it \$1,800,000,000 for a stock pile. We took that out. We took that out and brought it to the House and made it an open authorization, hoping that we would get a fraction of that amount. Do you know how much we have today?

Mr. RICH. No; I am asking for information.

Mr. MARTIN of Iowa. We have practically nothing. It is time for us to organize another Faddis committee to investigate the Army and Navy Munitions Board. I know what they are doing. We put in Public Law 520 one clause which I regret very much is in it, and I know that the gentleman from North Carolina [Mr. DURHAM] has the same regret. I want to tell you how they are getting away with this business of sending all of our strategic and critical materials to private industry. Section 3 of Public Law 520 has a provision in it that these acquisitions of strategic and critical materials for our stock piles shall be made so far as is practicable from supplies of materials in excess of current industrial demands.

They have gone off the deep end and turned the whole thing loose to private industry. They have forgotten all about the essential need for stock piles which we hoped that they would get.

I served on the Faddis committee. I know what happened when we started that investigation back in 1941. We got in their hair pretty badly. Then, the Truman committee took over. Faddis left Congress and went into the war. As a Republican I was on the minority at that time and the administration could not take exception to my position in the matter. There is a great deal of history in back of this thing.

Mr. RICH. Would you do this? Would you find out what the stock pile



is at the present time of copper, lead, and zinc, and insert it in the Record?

Mr. MARTIN of Iowa. I would be very delighted to call upon the Army and Navy Munitions Board to reveal all that they can reveal without violating secrecy. If you want to go over to the Committee on Armed Services, I think you may find there some statistics that are available to you as a Member of Congress which will shock you and which you would not dare turn loose on the public because it might be revealing some secrets which should not be revealed. Now you know where you can get the information. I do not want to take the responsibility for putting it in the Record here. You know where you can get the information on the strategic and critical materials.

Mr. RICH. I understand. I would not want you to reveal any secrets.

Mr. MARTIN of Iowa. No, and I am not going to do it either.

Mr. RICH. No, I would not want anybody to do that.

Mr. MARTIN of Iowa. You can go to that source and get your answer.

Mr. RICH. I was in hopes that we could find out definitely just what we have.

Mr. MARTIN of Iowa. You can find out very definitely just what you do not have if you go and consult that report there in the Committee on Armed Services.

I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Did I understand you to say that the Army accused you of lobbying?

Mr. MARTIN of Iowa. Oh, my goodness, they did not name me. I said I was the fellow who put the "Buy American" clause in there and the textbook at West Point states that it was placed there because of the work of a powerful lobby.

Mrs. ROGERS of Massachusetts. It is amazing that the Army today should make such a statement when in the past month they have had the most powerful lobby that I have ever heard of in all my time in Congress and since I have been in Washington, since 1913. They have the most powerful lobby on the merger bill. They have tried to prevent the Navy from testifying.

Mr. MARTIN of Iowa. I think they may revise their textbook now that they know that I have read it.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. ENGLE of California. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. HARLESS].

Mr. HARLESS of Arizona. Mr. Chairman, this is a very important piece of legislation for the protection of our country. I urge speedy passage of it.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado [Mr. ROCKWELL].

Mr. ROCKWELL. Mr. Chairman, I desire to endorse and support the Allen bill, H. R. 1602. It provides a practical method of keeping alive a going mining industry and encourages the prospecting, exploration, and development of new strategic and critical mineral reserves by private industry.

My district is one of the most highly mineralized areas in the United States, and yet its development has been curtailed and held back largely because of high-cost conditions which prevail in the high mountains of the State of Colorado.

Ores and concentrates are shipped great distances to metal markets and en route are handled by comparatively distant smelters and treatment plants. It is approximately 400 miles from Silverton, Colo., to Leadville, the location of the only smelter within the State. When the value or market price of metal advances, railroad rates advance proportionately—based on a graduating scale. The same is true of smelter rates. Therefore, in many instances, the producers receive less for the metal content of their ore with high prices and high-cost conditions than they do when prices of metals are lower and costs are less.

Recent surveys conducted by State agencies show that costs of mining and treating ores advance more rapidly than the prices of metals and, therefore, the miners find themselves caught between two economic laws which force shut-downs unless they receive premiums such as those provided under the premium price plan, by which a government, in need of metals, gives assistance to the little miners. Lead-zinc production statistics for the years 1939 and 1944 show that, while there were 1,455 mines producing less than 500 tons of these metals per year in 1939, this number had fallen off to 804 in 1944. These mines produced only an average of 77 tons each in 1944, or 5.48 percent of the total production for that year. But these mines are the ones in which I am primarily interested because these little mines are the ones which produce the big mines of the future.

The only way you can develop ore reserves is to dig for ore, and if our Government encourages the little miners of our Nation by providing incentives for them to find new ore bodies, then I can assure you that in my district and hundreds of other mining districts throughout the United States new ore reserves will be found which will be needed to protect our country in times of emergency, and provide the metals we need so badly to maintain our peacetime economy.

There are more than 40,000 mining claims in my State alone. These claims were patented after \$500 worth of preliminary work had been done on each claim where minerals were found in quantities which justified reasonable miners in concluding that profitable mining operations could there be conducted. Not more than 5 percent of these claims are now in actual production. In fact, in the area in which these properties are located less than 10 percent have been completely geologized. These mining areas can be utilized for little else than mining, although their scenic beauties are well known. Much prospecting and exploration work has been done, but the miners await proper incentives by their government, which will enable them to develop new ore bodies and produce more metals.

A study of the premium-price plan and its effect upon the economy of our section has recently been conducted by

the Colorado State Mineral Resources Board. While the study has not been completed, it nevertheless shows that practically all producers answering the questionnaires sent out by the Board needed the premium-price plan, or some similar plan, to continue mining operations. If these mines close down, it will result in the closing of our smelter, for without the mineral products of these hundreds of small properties, it will not be feasible for the smelter to operate.

The advantage of the premium-price plan over any other plan which has been devised seems to me to be the fact that the money paid for metals in the form of premiums, is paid to the producers—the fellows who spend years of their lives seeking out, searching for, prospecting, exploring, and developing new ore bodies, and eventually bringing in new mines. Who is more entitled to encouragement from the Government of the United States than these prospectors, explorers, and developers of new mines? Some may have the idea that new mines are developed by major mining companies with large capital reserves, but this for the most part has not been true of recent years. Mining engineers are constantly on the lookout for new properties. They are naturally making reports on their findings. Sometimes they recommend development projects; other times they turn down likely prospects. Many final decisions as to development projects are made in New York offices of major companies; but the prospectors, the explorers, and the developers must make their own decisions and their decisions will be largely based on our action here today.

Some think that the payment of premiums for newly mined ore will result in socialization of the mining industry. To this let me reply that there is a greater threat of the socialization of our mines by the closing down of large mining areas, such as those in the Tri-State district and in my own district, and in numerous other districts throughout the West, than there is from the continuation of the payment of subsidies. Let it be clearly understood by the Congress that in the event we fail in our duty to reenact this legislation, these mines, these marginal mines, these high-cost producers, will be shut down. What will be the attitude of the people in these districts, these miners, these storekeepers, the farmers, these ranchers, and others who depend upon the mines for their livelihood? Are these people going to stand idly by and see their districts turn into ghost towns? No; it is my judgment that they will immediately urge that, if private enterprise cannot operate these mines, then the Government should, and I predict there will be a strong plea to the Government of the United States to operate these mines. Those of us who come from areas in which this problem is uppermost in our minds know full well that it is not our policy to throw people out of work, especially in occupations where the wage scales are high, where working conditions are good, and where the climate is healthy and living standards above the average. This is not a plan to socialize the mining industry; this is a good sound

American program to encourage the domestic miners to go forth and produce new wealth so that our country may use it in the event of an emergency, and if no emergency should arise, to help maintain a high standard of living within our borders which, in final analysis, is mainly based upon our ability to produce new wealth from our farms and from our mines.

This is a serious matter and demands our immediate action in the passage of the legislation which is designated H. R. 1602.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. MEYER].

Mr. MEYER. Mr. Chairman, I rise in support of the pending measure, H. R. 1602. To quote from a recent speech of the Secretary of the Interior:

Mineral resources are the basis of any nation's industrial production. Without expanding industrial production, the high standard of living found in the United States could not exist.

It is the opinion of sound economists that our national wealth is based principally upon the raw materials we take from the ground and what we grow on the land. Regardless of what we pay for it, every pound of metal or mineral we take from our own deposits puts new wealth into circulation. New material which we may have possessed in the static form of reserves did not, before it was mined, have the quality of circulating from the mine to the factory, from the factory in the form of manufactured goods to the jobber, wholesaler, retailer, and to the ultimate consumer. In completing this cycle pay rolls are created, the velocity of turn-over of money increases, and capital wealth is built up.

When we have to purchase raw materials abroad part of this cycle is incomplete, not so many jobs are created, and some of our wealth leaves the country, never to return. I realize, Mr. Chairman, there are some things it is expedient for us to purchase abroad. Some because we do not and never may produce similar things here, and some because we at times do not produce enough to keep our industrial machine in high gear during the peak of our business cycles. Certain of the strategic and critical materials we require for stock piling must, at least in part, be purchased abroad if we are to build our national defense stock piles within a reasonable time. I do say, however, that every pound of raw material we can produce in the United States benefits our economy to a greater degree than a pound bought elsewhere and which probably was produced with cheap labor in an economy with a much lower standard of living than ours.

We have in the past realized that in order to maintain our domestic industry, the difference in living standards here and abroad must be balanced by tariffs. At present it seems to be fashionable to decry the tariff principle, to lower our tariff barriers, and, in some cases, to eliminate them. Mr. Chairman, I shall not here argue the pros and cons of protective tariffs. I am saying that costs in domestic mines have risen in the past few years to such heights that

tariffs on metals and minerals have had little or no effect in protecting our strategic and critical mineral and metal producers. Ask the manganese producers, the mercury producers, tungsten producers, and others whether or not the present tariffs are sufficient protection. In answer they will point to closed-down mines and mills and show you the figures on imports and the foreign prices which permit selling here over the small tariff barriers, in many instances, at less than our cost of production.

We have passed a bill suspending the excise tax on copper. There is discussion of suspending or lowering the tariffs on other metals and minerals. Just now, as our industrial capacity to consume raw materials is so immense, it happens in the case of a few raw materials that almost no amount of imports will wreck the markets. There also are world shortages of some of these things which at present prevent dumping at low prices here. That is not true of others. There is little chance that lowering or removing the tariffs will permit us to purchase items which are in world short supply a great deal cheaper. We will just pay the difference to foreign producers instead of to the United States Treasury.

You will ask what this has to do with the pending bill. A great deal. Mr. Chairman, if we are going to encourage a flood of imports, there may and will come a time when our market will not stand the strain and the prices will fall below our cost of production. Then, more and more of our mines will become marginal and will have to shut down, with loss of invaluable and unrecoverable ore reserves. The tri-State mining area contains more than 50,000,000 tons of marginal reserves of zinc and lead. At the present time 46 mills concentrate ores from 135 mines. Over 6,000 persons are occupied in these mines and mills, and according to certain surveys showing that some 14 people are directly or indirectly supported by each worker in a mine, mill, or smelter: mining provides the livelihood for over 80,000 men, women, and children in this area alone. We cannot allow these mines to shut down either from the present or future standpoints.

In 1940 lead was priced on the average at about 5.2 cents per pound and zinc at about 6.3 cents per pound. During the war labor and material costs, together with declining ore grades made it difficult for some mines to operate at three times this price for lead and more than twice this zinc price. The costs in some mines went even higher. The situation is no better now. It is unlikely, and from the viewpoint of a high standard of living, perhaps desirable, that wages should not fall. Yet these metals are more cheaply produced abroad, and when the backlog of industrial demand is filled it may be expected our prices will be forced back by imports of metal to the point where our marginal zinc and lead mines will be forced to close.

There is a way of preventing this disaster, and that plan is embodied in the pending bill, H. R. 1602, which is intended to stabilize the prices which our mines receive for those strategic and

critical metals and minerals which the Army and Navy Munitions Board deems to be necessary for the public defense, in such a way that the price of these materials will not be increased for industrial use and yet we will be able to utilize to the fullest our marginal ores and fill our stock piles to a considerable extent with domestically-produced materials during the periods of slack industrial demand. Such a plan seems to me to be an imperative part of our economic system.

The United States must have a real mineral policy and a realistic natural resources conservation program. I feel Mr. Chairman, this is embodied in the pending bill, and I urge the Members to vote "yea" on this measure.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Vermont [Mr. PLUMLEY].

Mr. BUCK. Mr. Chairman, will the gentlemen yield for a question before he starts his remarks?

Mr. PLUMLEY. Yes; I yield.

Mr. BUCK. Would the gentleman be in favor of this subsidy if a surplus in copper, lead, and zinc developed during the next year?

Mr. PLUMLEY. I doubt it somewhat. I am opposed to subsidies as a general principle, but in the State of Vermont, strange as it may seem, due to the war necessities, we developed up there one of the largest of small copper mines in this country which, when properly developed, may be a competitor of Anaconda and Kennicott and some of the other larger mines. Therefore, because of the sacrifice made by the men in private industry, who put their millions back of the Government to produce copper for the use of the Government, I am for this bill.

Mr. Chairman, any doubt I may have entertained, if any, with respect to my vote on this matter was resolved in favor of the bill by the statements made by the late chairman of the Rules Committee, who favors the bill. I am satisfied that H. R. 1602 should be enacted. My particular interest in this measure stems from the fact, as I have said, that in Vermont, strangely enough, there is a full-scale copper mining operation. It is one of the few such operations located in States along the eastern seaboard, and during the war made a splendid contribution toward filling the need for domestically mined copper, a critical material then in short supply.

This Vermont copper mining operation, Mr. Chairman, is one that has been built up by private capital and individual enterprise. It was brought back into full-scale operation largely at the insistence of those in government who knew the critical need for this strategic and essential material during the war. Over a period of years the operation was expanded out of private funds, but at the insistent urging of responsible Government officials.

At the moment, new shafts are being sunk; exploration for new deposits is under way; new equipment is on order; and within the next 2 years this particular mining operation will become a permanent addition to the successful mining operations in this country.



The continuation of the premium-price plan for 2 years will permit this development work to proceed; these explorations to be continued, and this mine to become an established producer, both in peace and war.

The private-capital expenditures made during wartime to make of it a large producer are indicative of the good faith of those who are responsible for its operation.

I know that domestic copper production would be a must were we to be embroiled in war. In these unpredictable days it would be folly to allow our copper mines to be closed down or to fall into disuse. As is apparent to all, once a mine is closed down, becomes filled with water, is allowed to decay, only superhuman effort, together with a long period of work and the expenditure of tremendous funds, can bring it back to production to serve the Nation. Let us not allow that to happen, particularly at this time.

In this bill, H. R. 1602, there is furnished the means of providing for national security, the exploitation of ore bodies at moderate cost, the maintenance of a geographically dispersed industry with men trained in metal-mining operations, as well as the assurance of adequate supplies of strategic metals from domestic sources.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield for an observation?

Mr. PLUMLEY. I yield.

Mr. CASE of South Dakota. I would just like to say that I heard the statement made by the gentleman from New York [Mr. Buck]. Although I happen to be supporting this bill and the gentleman from New York is opposed to it, I think his introductory statement as to some stocks that he might hold was made because he wanted to be perfectly frank.

Mr. PLUMLEY. Absolutely; he is an honest man.

Mr. CASE of South Dakota. I think that the intimation that this bill might in some way benefit the companies in which he might have some stock interest, because of building up some marginal mines—

Mr. PLUMLEY. You do not charge me with having any interest in the marginal mines?

Mr. CASE of South Dakota. No. But I think the gentleman's statement was made in good faith. It was made to show that he was not taking a position based on self-interest.

Mr. PLUMLEY. Oh, I agree with the gentleman absolutely.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. PLUMLEY. I yield.

Mr. RAYBURN. Is the gentleman from Vermont generally in favor of subsidies?

Mr. PLUMLEY. No. And I have a very definite reason why I was interested in this particular one.

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point on the subject, and

to include a brief published report of the House Small Business Committee which deals expressly with this subject, the purpose being that the Members, after this afternoon, may be able to read this before they again debate the bill.

The CHAIRMAN. The gentleman will have permission to extend his remarks at this point in the RECORD, but permission to include the report of the Small Business Committee will have to be obtained in the House.

Mr. PLOESER. Mr. Chairman, the report referred to is as follows:

#### INTERIM REPORT ON INVESTIGATION OF DOMESTIC SHORTAGES OF CRITICAL NONFERROUS METALS

##### INTRODUCTION

On June 2, 1947, Subcommittee No. 3, under the chairmanship of Representative WILLIAM S. HILL, Republican, of Colorado, went to Denver, Colo., where representatives of the mining industry were heard in a preliminary conference.

Attending this conference were representatives of the mining industry from Colorado, New Mexico, Arizona, Missouri, Oklahoma, Kansas, Wyoming, South Dakota, Utah, and California. Accompanying Mr. HILL from Washington were Representative HENRY M. JACKSON, of Washington, a member of the subcommittee, and M. W. Rowell, executive director of the Small Business Committee.

The spokesmen for the mining industry brought to the attention of the committee the critical situation now facing the United States and the mining industry. Men who have spent all their lives in mining pointed out that unless the Government takes prompt action the Nation will be in jeopardy, both from the point of view of national defense and the long-range welfare of the national economy. Unless the marginal miner is encouraged to prospect for new ore bodies and to develop those ore bodies when discovered, the critical shortage in industrial metals will continuously become more acute and this Nation may eventually become a "have not" nation so far as known ore bodies are concerned.

These spokesmen for the mining industry urged that Congress promptly enact the so-called Russell bill (H. R. 2455) into law in order to assure that existing mines will continue operation and that newly discovered ore bodies will be explored and developed. Other factors combining to threaten the life of the domestic mining industry, especially the marginal mines, are the rising domestic cost of mining, exhaustion of ore bodies during the war effort, delayed development programs, and an inadequate tariff structure.

In preparing this report the staff not only took into consideration the facts developed at the Denver conference but also the testimony taken by the National Resources Economic Subcommittee of the Committee on Public Lands, in the United States Senate, in its investigation of national resources. The findings and recommendations in this report represent the unanimous opinion of Subcommittee No. 3 and have been approved by the full committee.

1. Analysis of the facts reveals that the fundamental issues are whether the mining industry should be encouraged to prospect, explore, and develop mineral deposits; whether marginal mines should be left to close down; and whether the mining industry should be induced to remove marginal ore, in a balanced operation, along with profitable ore.

From this committee's preliminary investigation, it would appear that the fundamental issues are as follows:

(a) Should the Government offer incentives to the mining industry to stimulate it in prospecting, exploring, and developing new ore bodies?

(b) Should mine operators be left in a position which forces them to close down completely marginal mines, liquidate mechanical equipment necessary for operation of these mines, and disperse technical staffs and skilled manpower?

(c) Should the Government assist mine operators either to continue marginal mines in operation or to maintain them in stand-by conditions?

(d) Should the mining industry be induced to remove marginal ore from the shell along with profitable ore in the core of mineral deposits in order to assure a healthy mining industry from the operational point of view?

(e) Should the mining industry be induced to remove marginal ore along with profitable ore in order to stimulate the exploration and development of unknown ore bodies in existing mines?

2. Depending upon determination of these issues, assistance may be extended to the mining industry in several ways, including protective tariffs, premium-price payments, direct contracts either for the production of marginal mines or to maintain these mines in stand-by condition, and appropriate tax exemptions and deductions.

Both the necessity for assistance and the type and extent of assistance depends entirely upon determination of the fundamental issues outlined in the section next preceding.

(a) If it is decided that the mining industry should be induced to take out low-grade marginal ore along with higher-grade profitable ore, it should be recognized that the problem is of an enduring nature, and consideration should be given either to adopting protective tariffs high enough to maintain the price at a profitable level for this high-cost operation or to subsidizing marginal producers by adopting premium-price payments as a long-range program.

(b) If it is decided that the mining industry should not be induced to remove marginal ore along with profitable ore, it should be recognized that many marginal mines will close down, liquidating their mechanical equipment, technical staffs, and skilled workers, and consideration should be given to extending the premium price payment plan temporarily or to making direct contracts either for the production of these mines or to maintain them in stand-by condition.

(c) Whether or not it is decided to induce the mining industry to remove marginal ore along with profitable ore, consideration should be given to encouraging the mining industry to prospect, explore, and develop new ore bodies by adopting tax incentives in the form of appropriate tax deductions and exemptions and by directing the Army-Navy Munitions Board to obtain strategic and critical minerals and metals for stockpiling purposes by direct contract with marginal mines.

3. As a general rule, subsidies are economically unsound and should not be used except under extraordinary circumstances.

Subsidies disrupt free competition and normal economic relationships by suspending application of the laws of supply and demand. Uneconomic marginal producers are kept in production by payments from the public purse.

Under normal competitive conditions where the supply is adequate to meet the demand, the economic effect would be to force the uneconomic producer out of business on the basis of survival of the fittest. Subsidies therefore have the effect of supporting the marginal fringe at the expense of the general public.

Furthermore, when the supply is inadequate, the price normally would increase. Subsidies tend to keep prices down by increasing production, but higher taxes are

substituted for the price increases normally to be expected, and consequent increases in the cost of living are concealed from the general public. It is elementary that increased expenditures by way of subsidies must be paid for by way of increased taxes, which necessarily come out of the pockets of the consuming public.

During the war, the Government granted subsidies on an ever-increasing scale to numerous industries. While this was contrary to normal economic principles, the need for maximum production to meet the urgencies of war overshadowed these principles. Price controls accompanied the subsidies, and the joint effect was to keep the marginal producer in operation without increasing the prices. Under normal competitive conditions, prices would have spiraled, the marginal producer would have shown a profit, and the efficient producer would have reaped a windfall, since demand was insatiable and increased with the supply. Direct subsidies were given to the marginal producer, and price controls were placed upon the subsidized industry in order to obtain maximum production and at the same time cut down the over-all cost of war by stabilizing the general price level and eliminating windfalls to low-cost producers.

To secure maximum production of metals badly needed in the war effort without unduly increasing prices of these materials, the premium-price plan was established, under which maximum production could be secured without disturbing the over-all national economic program. This program has been in successful operation since February 1, 1942, for copper, lead, and zinc. It was continued until 1945, when the Congress established it by law for the fiscal year ending June 30, 1946. With slight modifications, the Congress extended the plan to June 30, 1947, when it expires. The plan as administered was quite flexible and operated satisfactorily in connection with free market prices when ceilings were removed, and it is now so operating. During the war, these subsidies effected substantial savings for the Government; maximum production was obtained without increasing the price of metals.

4. Unless the Government takes preventive measures, the great majority of marginal mines will shut down.

Wartime economic conditions presently continue in the mining industry. Domestic demand substantially exceeds domestic production. Costs as well as prices are at the highest level in the history of the domestic mining industry.

Mines were depleted of their high-grade ore long before World War II. For many years the practice was to tunnel directly into the core of the vein instead of removing the low-grade ore along with the high-grade ore. By taking out the high-grade ore and leaving the low-grade ore, costs were lowered and metal production increased. Under the premium payment plan, the residue is now being worked, but it is a comparatively high-cost operation.

Since 1942 marginal producers of high-cost copper, lead, and zinc have been operating under the premium payment plan; and, even with the help of premium payments, some companies have lost money. The industry is becoming apprehensive as the June 30 dead line approaches, since mining programs are planned and projected months in advance.

From a cost study of marginal mines prepared by Jesse L. Maury in May 1947, it appears that 270 mines producing 30 percent of the domestic mine production of lead, zinc, and copper cannot continue in operation on the basis of present costs and prices which may reasonably be expected to prevail for those metals; that is, 22 percent of lead-zinc production and 6 percent of copper production cannot be sustained at present prices, and declines of 3 cents a pound from

present prices will eliminate a further 7 percent of lead-zinc production and 23 percent of copper production.

The testimony indicates that, in the event of the discontinuation of premium payments on June 30, many of these mines will be forced to shut down and many will be forced to curtail operations substantially by selection of high-grade ores only. Furthermore, many smelters depend upon ores and concentrates from these mines in order to continue operations; and, in the event this tonnage is lost, these smelters also face closing down. Mines presently operating without subsidies will, in many instances, also be closed, for they will be confronted with the problem of finding other smelters as a market for their products.

In the face of these conditions, the mining industry now must cope with an increase in wage costs after July 1, 1947, this on top of the fact that the industry absorbed a 20 percent increase in freight rates on January 1, 1947. Many mines are located in isolated areas and must transport ore to distant custom mills or smelters, thence to additional mills or refineries, and, finally, to fabricating plants along the eastern seaboard. Added up, these transportation charges are a tremendous burden on the industry, frequently wiping out all profits to the producers, so much so that a plan is seriously being considered to erect modern fabricating plants in the West closer to the source of the raw materials.

It would seem that either direct subsidies or subsidies by way of tariff are necessary to assure continued operation of these marginal mines. If tariffs are used, the price will increase correspondingly and low-cost producers will realize higher profits. If direct subsidies are given to the marginal mines, continued operation at maximum production will be assured, with no increase in price or in the profit margins of the low-cost producers.

Protective tariffs are not a solution, since domestic mines can produce only about three-quarters of the Nation's needs. The tariff on copper was recently lowered in order to induce importation of copper ore. The low tariff, combined with direct subsidies to marginal mines, will tend to balance supply with demand and permit stock piling at reasonable prices.

If the mining industry is not protected by way of direct subsidies to marginal mines or indirect subsidies in the form of protective tariffs, the Nation will become largely dependent upon foreign sources of supply, since many marginal mines will go out of business and their production will be supplanted by imports.

5. Continued operation of the marginal mines is vital to national defense.

Accelerated prospecting and exploring, together with continued development and operation of existing mines, is insurance against the loss of foreign sources of supply in wartime. Even though foreign sources were willing to continue supplying this country with ore, it would still be difficult because of the submarine menace. Witness the high mortality rate of even our coastwise tankers during the early days of the war, to say nothing of the dangers faced by trans-Atlantic slow-moving freighters.

No adequate provision is made in the Stockpile Act of 1946 for stimulating exploration, development, and production of domestic strategic and critical minerals and metals. Stock piles of strategic and critical minerals have been so depleted that the national safety requires an immediate incentive plan for the continuation of marginal operations and the exploration of new mineral reserves.

As an example, it appears that a world-wide shortage of lead may continue for some time. The testimony shows that during the last 5 years lead production has steadily declined

throughout the world, due, to a large extent, to the emphasis on zinc production at the expense of lead, its joint product. Immediately following the war, pent-up peacetime demand for lead resulted in an all-time high for peacetime consumption in the United States of 925,000 tons in 1946. This is comparable to domestic mine production in that year of 332,000 tons and a secondary production of some 340,000 tons.

Spokesmen of the mining industry emphasized the seriousness of the situation by pointing out that five out of six Colorado companies each doing up to \$1,000,000 worth of business annually would have to cease operations had they not been aided by the Government premium payment plan.

Unless aid is forthcoming from the Government, many of these marginal mines will close. The insurance which they provide against a wartime loss of foreign sources may be gone forever. When a mine is abandoned, the machinery is removed and sold. Abandoned mines fill with water. As the timbering rots out, cave-ins fill such mines with debris.

If the Nation ever again becomes involved in a war, it will be too late—too late to pump out the water, clear the cave-ins, retimber the mines, and reinstall necessary machinery. In time of war, mechanical equipment is scarce. Furthermore, 3 years may be required to rehabilitate such a mine and get it back into operation. Finally, rehabilitation costs would increase the fixed charges per ton to such an extent that the mine could not be reopened at the present level of subsidies. These costs could only be retired by way of higher prices or higher subsidies.

Metals are the backbone of our industrial economy. Without this basic raw material, war industries would shut down. To rely upon foreign sources of supply is to invite catastrophe.

6. Continued operation of marginal mines is vital to the welfare of the National economy.

Preliminary investigation shows that the Nation is facing a critical shortage of industrial metals due to depletion of known ore bodies in existing mines and that steps must be taken to encourage prospecting, exploration, and development of new ore bodies.

The over-all requirements of the Nation's economy with respect to lead, copper, and zinc have been estimated by various authorities to be considerably more than our domestic productive capacity. Of this requirement presently operating mines could probably not meet over three-fourths of the Nation's needs. At best, more than one-fourth would have to be imported. It has also been brought out in testimony before the United States Senate National Resources Economic Subcommittee, of the Committee on Public Lands, that there is a general upsurge in demands for metals throughout the world and that the United States should not deprive other countries of metals badly needed by those countries for reconstruction of war-torn areas. Combined, these factors clearly demonstrate the national need for encouraging the domestic mining industry and supplying the manufacturing areas of the Nation with badly needed materials for fabricating the numerous items of industry which are in short supply.

Witness the shortages of automobile batteries, lead cable, white paint, all of which are produced from the products of lead mines, and galvanized sheeting, culverts, and other items needed in farm building and highway construction. Castings, brass and copper products, are also in short supply, as testified to in the hearings, which resulted in the elimination of the copper tariff of 4 cents a pound. All these emphasize the importance of keeping the mining industry active at a time when the Nation's stock piles of metals are being rapidly depleted and purchasing has not been renewed as yet under the new stock-piling legislation.



7. Accelerated prospecting, exploring, and developing of ore bodies is essential to the national defense and the economy.

Much emphasis has been placed upon the depletion of our mineral wealth, but insufficient publicity has been given to the fact that this depletion relates only to known deposits. Vast ore bodies may remain undiscovered. Only by prospecting for new ore bodies and thoroughly exploring, developing, and exploiting known bodies will these unknown deposits, if any, be revealed. Discovery of new ore bodies has fallen far behind the depletion of existing mines.

It seems that there are four general types of prospecting, exploration, and development.

(a) The Bureau of Mines and National Geological Survey explore unknown areas involving long geological chances and high cost which private industry is not willing to undertake. For example, the Government explored potash fields in the Southwest which have made us presently independent where we formerly had none. This potash was discovered at great depth, and the exploration costs ran into millions of dollars. Private industry could not undertake the risk, since it was a long chance and involved a large amount of money. After the Government explored the field, it then leased out the mining rights to private operators, who are presently producing potash in great volume.

(b) The large private mining companies with capital as high as \$100,000,000 can undertake the development and exploration of those areas where the probabilities are great that ore bodies will be discovered. For example, in one western mining area, a fault was discovered which indicated that ore had been thrown over into a district adjacent to one previously mined. Private operators drilled and discovered ore at 2,400 feet, which is now being developed. Shafts have been sunk to a depth of 1,600 feet, and it is expected that the ore will be reached in 3 months.

Another example is a case where two mining areas were producing 50 miles apart, and there was a strong presumption that ore could be discovered between these two areas. By drilling between these two fields, an ore body, covered by volcanic lava, was discovered 1,400 feet beneath the surface. Presently the areas which have been drilled have only shown ore containing about eight-tenths of 1 percent copper. Since this is about at the marginal point, it is a question now whether this area will be developed.

(c) Exploration and development of existing mines and areas adjacent to existing mines frequently reveal new ore bodies. This type of exploration and development depends upon continued operation of the mine and taking out low-grade marginal ore along with high-grade ore. One of the main reasons why the mining industry is now in difficulty is the fact that for 10 years before the war very little of this type of exploration and development had been done.

(d) The small independent prospectors and developers frequently discover new mines in remote areas. Consequently, the transportation cost is very high, and they sometimes cannot maintain operations without assistance. Even though the ore is very high grade, transportation costs may be prohibitive. Sometimes the ore even has to be taken out over mountain trails. Furthermore, initial operations may involve low-grade ore which, upon exploration and development, will reveal a rich vein.

8. In order to avoid a widespread shutdown in the mining industry, it is recommended that Congress enact the Hill bill (H. R. 3942) extending premium-price payments with respect to copper, lead, and zinc for 1 year as a bridge-the-gap measure pending more thorough study.

In our opinion, subsidies should not be adopted permanently at this time. As stated in an earlier section, we consider subsidies

undesirable generally and believe that they should be used only under extraordinary circumstances.

However, in view of the exceptional circumstances previously outlined and pending a thorough investigation of the entire industry, we recommend that the present premium-price-payment plan be extended for a period of 1 year—until June 30, 1948, by enacting the Hill bill (H. R. 3942).

From the long-range view, preliminary investigation indicates that a large part of the troubles with which small independent miners are presently beset may be caused by sliding-scale provisions imposed upon them in their contracts with the smelting interests, and we wish to investigate this matter more thoroughly. These smelting interests own mines which account for 80 percent of the total copper production, 55 percent of the total lead production, and possibly 30 percent of the total zinc production. Ownership of such a large proportion of the more profitable mines places the smelters in a position to squeeze the small independent miners. The sliding-scale provision gives the smelter a larger cut percentage as the price of metal increases.

Continuation of premium-price payments temporarily for 1 year will encourage prospecting, exploring, and developing of new ore bodies, as well as assure continued maximum production from existing mines. For the most part, surface outcroppings are gone and the Nation is now dependent upon subsurface prospecting. In a very real sense, operation of these marginal mines involves an element of prospecting since rich ore bodies are sometimes discovered as the mine reaches farther into the subsurface.

Furthermore, small, independent miners will be encouraged to prospect for new ore bodies and to operate small, low-grade ore deposits which may develop into excellent mines. In opening up a new mine or developing an existing low-grade deposit, they know that the Government is, to a certain extent, underwriting the risk. Without this encouragement, they might be reluctant to continue pouring their money and labor into economically risky ventures.

It is generally accepted that new ore bodies are usually discovered and explored by small, independent miners. The large, integrated mining and smelting companies are reluctant to take chances. Financial considerations induce them to take a more conservative attitude, and they favor exploitation of their large known ore deposits.

Continuation of premium-price payments will induce both large and small mine operators to keep their marginal mines in operation, assure the maximum production which is presently needed, and keep technical staffs and skilled manpower together. Large as well as small operators may, in the course of operating these marginal mines, uncover unknown mineral deposits. In addition small, independent operators will be encouraged to prospect, explore, and develop ore bodies which the large operators would ignore.

This Nation has become strong in large part because it has had vast mineral resources, and our industrial strength will diminish with our natural resources. To maintain our industrial strength, we must discover and develop new ore bodies. To depend upon foreign sources of supply puts us at the mercy of the foreign producer.

Protective tariffs are no solution, since our domestic supply cannot meet the domestic demand and low-cost producers would be subsidized as well as marginal producers. Neither would stand-by contracts solve the problem, since exploration and development of marginal mines would cease and the technical staffs and skilled workers, necessary for their operation, would be dispersed.

In conclusion, it should be noted that the Hill bill (H. R. 3942) extending the premium-

price plan for 1 year, as recommended above, is not to be confused with the so-called Russell bill (H. R. 2455), which would establish a premium-price-payment-plan, more or less permanently on a 5-year basis.

9. It is recommended that the Strategic and Critical Materials Stock Piling Act be amended by enacting the Ploeser bill (H. R. 3947) authorizing the Secretary of War and the Secretary of the Navy to direct the Secretary of the Treasury to negotiate fixed-price contracts for the purchase of all or any part of the production of these marginal mines.

Although contracts of this nature are an indirect subsidy, we believe they provide a necessary and desirable supplement to stock piling. In our opinion, maintenance of reliable and adequate sources of domestic supply is more necessary to national defense than stock piles of strategic and critical materials. As indicated previously, our stock piles of copper, lead, and zinc are sadly depleted, and dependence upon foreign sources of supply is extremely dangerous.

For these reasons, we believe that the Army and Navy should create their stock piles by acquiring the production of marginal mines. Thus, by keeping these mines in operation, they will assure their availability in time of war and prevent liquidation of necessary equipment and dispersal of technical staffs and skilled labor. Furthermore, such a program will keep the War, Navy, and Treasury Departments out of domestic open-market buying and prevent their bidding up the price.

The Ploeser bill (H. R. 3947) would authorize negotiation of fixed-price contracts at prices in excess of the going market price, without regard to section 3709 of the Revised Statutes, but for a period not in excess of 1 year. In negotiating the fixed price, the Secretary of the Treasury would seek to arrive at an amount which would provide the mine operator with a reasonable profit, considering the unit cost per ton of ore, including operating, overhead, fixed charges, and all other costs. The contract would include a provision for adjustment of the fixed price in the event the profit actually realized upon performance exceeded, by a specified amount, the estimated cost upon which the negotiated contract is based. The Secretary of War and the Secretary of the Navy would have authority to establish limitations as to price and grade of ore in order to assure that public funds would not be wasted, but they would also have the power to make exceptions in particular cases where the geological possibilities of the ore body justified.

It should be noted that such a program would encourage the exploration and development of ore bodies in marginal mines as well as assure continued operation of such mines; but that it is deficient as an over-all solution, in that it would not induce exploration and development in profitable mines not under contract, since the operators would not mine marginal ore and, for this reason, would have less chance of finding new ore bodies.

10. It is recommended that the Federal tax laws be examined for tax incentives by way of appropriate deductions and exemptions for losses incurred in prospecting, exploring, and developing marginal ore bodies.

From the testimony it appears that the tax laws may involve inequities to the mining industry, and particularly to small independent miners. In our opinion, these allegations should be thoroughly investigated.

Furthermore, prospecting, exploring, and developing unquestionably could be stimulated to some degree by providing adequate tax incentives in the form of appropriate tax deductions and exemptions. It is our opinion that this matter should be given thorough study, since this industry is one of the keystones to our industrial strength.

Mr. WELCH. Mr. Chairman, I have no further requests for time.

Mr. ENGLE of California. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, under the rule, the Clerk will read the committee amendment as an original bill.

The Clerk read as follows:

*Be it resolved, etc.,* That it is the policy of the Congress that every effort be made to stimulate the exploration, development, mining, and production of certain metals and minerals by private enterprise to supply the industrial, military, and naval needs of the United States by providing for the development and conservation of those materials in order to decrease and prevent, wherever possible, a dangerous and costly dependence of the United States upon foreign nations for supplies of such materials.

Mr. WELCH. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOWELL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1602) to establish within the Department of the Interior a National Minerals Resources Division, and for other purposes, had come to no resolution thereon.

#### CONSENT REQUEST

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. SHORT. Mr. Speaker, I object.

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE—PERMISSION TO FILE REPORT

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on the bill (H. R. 4169) to amend section 401 of the Civil Aeronautics Act of 1938, so as to permit the granting of authority for temporary emergency service of air carriers.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### AUTHORIZING VETERANS' ADMINISTRATION TO ACQUIRE SITE FOR VETERANS FACILITY AT CLARKSBURG, W. VA.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent for the immediate consideration of H. R. 3739, to authorize the Veterans' Administration to acquire certain land as a site for the proposed Veterans' Administration facility at Clarksburg, W. Va., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to know what this legislation does.

Mrs. ROGERS of Massachusetts. It authorizes the Veterans' Administration to acquire certain land at Clarksburg, W. Va., for a hospital. I may say to the gentleman from Pennsylvania that if he is anxious to save money he can do so by passing this legislation, for the Veterans' Administration claims it will save over \$60,000.

Mr. RICH. Has the Veterans' Administration selected this site? Do they want it?

Mrs. ROGERS of Massachusetts. Yes, they have asked for it and are extremely anxious to get it. It would be satisfactory to them and everyone concerned if the authorization should pass and pass promptly. Time is of the essence.

Mr. PHILLIPS of California. Mr. Speaker, reserving the right to object, is this the site regarding which the Committee on Independent Offices has already received some information? Is this matter entirely in addition to the requests made before the committee or is this a site which fits into the requests already made?

Mrs. ROGERS of Massachusetts. It fits into the requests already made. I am sure the gentleman would approve it if he read the statement that I have.

Mr. PHILLIPS of California. Has the gentleman spoken to the gentleman from Massachusetts [Mr. WIGGLESWORTH] about it?

Mrs. ROGERS of Massachusetts. No; but he will not object to it, I know. I may say to the gentleman that in passing this legislation the Veterans' Administration and the Government will save \$60,000. It is necessary to pass it at once.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Administrator of Veterans' Affairs is authorized and directed (1) to acquire as a site for the proposed Veterans' Administration facility at Clarksburg, W. Va., the tract of land in Harrison County, W. Va., situated between the West Fork River and the line of the Clarksburg & Western Electric Railway and known as the Maxwell estate; (2) to lease to the city of Clarksburg, W. Va., at a nominal consideration, so much of the westerly portion of such tract as is not presently needed for the purposes of such facility, upon condition that such portion be maintained by the city of Clarksburg as a public park until such time as it may be needed for the purposes of such facility, and upon such further terms and conditions as may be agreed upon by the Administrator and such city; (3) to grant to the State of West Virginia a right-of-way across such tract of land for a public highway connecting United States Highway No. 19 with the highway known as the Clarksburg-Mount Clare Road; and (4) to enter into an agreement with the State Road Commission of the State of West Virginia to bear not to exceed 35 percent of the costs of construction of such public highway and any necessary bridges thereon.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. PLOESER asked and was given permission to include as a part of the remarks he made in the Committee of the Whole in connection with debate on H. R. 1602 certain material.

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial from the Saturday Evening Post.

Mr. COLMER asked and was given permission to extend his remarks in the Appendix of the Record and include a statement by Marian B. Folsom before the Joint Committee on Economic Report.

Mr. PHILBIN asked and was given permission to extend his remarks in the Record.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the Record and include a table from the Department of Agriculture.

#### OFFICE OF COORDINATOR OF RECORDING FACILITIES

Mr. JOHNSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JOHNSON of Indiana. Mr. Speaker, I notice that Chairman BRIDGES, of the Senate Appropriations Committee, yesterday sought to clear up any possible misunderstanding concerning an item added in conference to the legislative appropriation bill, establishing the Office of Coordinator of Recording Facilities. Some of the radio people seem to fear that the action of Congress assuming official jurisdiction over the transcription service might be stepping on their toes. I simply wish to repeat what Senator BRIDGES said; namely, that our sole purpose was to improve the operation of this service which so many Members have found invaluable. It is not intended, and the language of the bill cannot be so construed, that this action should in any way interfere with any aspect of the present or future radio or television news coverage at the Capitol.

#### HOOR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow morning.

Mr. SHORT. Mr. Speaker, it is my understanding that the mining bill we have been discussing this afternoon will come up the first thing next Tuesday.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### SPECIAL ORDER

The SPEAKER. Under previous special order of the House, the gentleman from Massachusetts is recognized for 3 hours.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the Record.



The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, there has been an enormous interest in the passage of veterans' legislation. If I understand correctly, the administration of the House and the administration of the Senate are both inclined to have the Congress adjourn on Saturday of next week. As the Speaker knows, in order to secure the passage of legislation we should act at once. There is always the possibility as the Members of the House very well know, of a Presidential veto of bills that we pass; so every minute almost counts in the passage of legislation.

We have reported a number of bills out of our committee and those bills are pending in the Rules Committee, Mr. Speaker, but to date we have not been able to secure a rule for their consideration. Of course, that is not altogether necessary. Those bills could come up by unanimous consent, they could come up under suspension of the rules.

Mr. Speaker, we have reported bills unanimously out of our committee that have the unanimous approval of all the veterans' organizations.

Bills that have passed our committee that have the approval of the entire membership of the House, and Members have said to me, "As chairman of the Committee on Veterans' Affairs, when will the leadership allow bills to be brought up for action on the floor?" We have more bills, Mr. Speaker, that will be passed out of the committee very shortly. We have a bill introduced by the gentleman from Iowa, JUDGE CUNNINGHAM, and very ably defended before our committee by the gentleman from Wisconsin [Mr. MURRAY] that will be passed by our committee. The farmers will be interested in having their veterans given a low rate of interest on their farm loans.

Mr. CASE of South Dakota. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I am very glad to see the interest the House is showing in this legislation. I know they have it. Everyone is interested in the affairs of the veterans.

Mr. CASE of South Dakota. I was much interested in the list of bills which the chairman of the Committee on World War Veterans' Legislation placed in the RECORD on July 15. Two of the bills in particular are bills which I have heard a great deal of, the Meade bill, H. R. 3888, and the Ramey bill, 3308, both of which deal with subsistence allowance for veterans attending school under the Servicemen's Readjustment Act. Can the gentlewoman tell me substantially the difference between the two bills? The Meade bill, as I understand it, contains an increase in allowance for dependents and the Ramey bill, according to the statement would increase the minimum subsistence allowance of disabled veterans who are attending school.

Mrs. ROGERS of Massachusetts. That is for the disabled who are taking vocational training under Public, 16. It only takes in those men who are disabled 30 percent and over. To the gentlemen

who are interested in economy, as everybody is, and not at the expense of the disabled veteran, that bill would only cost \$5,000,000, I will say to the gentleman.

Mr. CASE of South Dakota. The Ramey bill deals only with the disabled veteran who is receiving compensation for service-connected disabilities, while the Meade bill deals with all veterans attending school under the Servicemen's Readjustment Act who have dependents. Is that it?

Mrs. ROGERS of Massachusetts. That is correct. The Meade bill only increases the amount paid to married men or married men with dependents, however.

Mr. CASE of South Dakota. Has application been made to the Committee on Rules for a rule on the Meade bill?

Mrs. ROGERS of Massachusetts. Yes. I have asked the Chairman of the Committee on Rules to grant hearings for rules on all the bills, that World War Veterans' Committee has passed, and there were resolutions to that effect placed in the hopper. I have asked the leadership many times for action on these measures.

Mr. CASE of South Dakota. I would say that I think in general the people expect us to do something about this problem of subsistence allowance, particularly for those veterans who have had dependents added to their problem at the present time. There is general interest in that, and I express the hope that consideration will be given to that before the Congress adjourns.

Mrs. ROGERS of Massachusetts. I will say to the gentleman that very many Members I know ran for Congress on those measures, on the lifting of the ceiling and on the subsistence allowance. There are in our committee some 16 veterans of this war, men who have suffered as a result of this war and who know what war means, and I will say to the House that no committee has ever had finer members than has our committee, and these new veterans are very forward-looking and have fine records. We have a number of splendid World War I veterans in our committee. Many of the Members of Congress told me that they ran for Congress on the platform of increasing subsistence allowance for those in schools, and on the lifting of the ceilings for those on job training. Last year the administration then in power railroaded through the Committee on Veterans' Affairs a House bill that placed ceilings on on-the-job training and limited those ceilings to \$175 a month to the single men and \$200 a month for the married men.

Many of those men have had to give up their on-the-job training. May I point out that the subsistence allowance—the Government contribution—carried in the on-the-job-training bill is not increased at all. It is just as it was before—\$65 for a single man and \$90 for a married man or a married man with dependents. It is simply that the ceiling is raised on the total amount the veteran can earn. I find many Members do not realize there was no ceiling last year and the year before for the men taking on-the-job training, and that

that right or benefit, whatever you call it, was taken away and the ceiling put on. I see a man every single day who tells me he does not know how long he can keep on with the \$200-a-month ceiling on his job. It is something Congress took away unwittingly from the veterans. It was railroaded through in the closing hours of the last session. I think if there were a better understanding that the bill would be enacted at once. The distinguished ranking Republican member of the Committee on Veterans Affairs, the gentleman from New York, General KEARNEY, has filed a discharge petition. I signed the petition. I do not like to sign petitions, but I feel that we have a contract with the veterans, and when we cut them in that way we break our contract. I am hopeful that will come up. I believe enough signatures could be secured on that petition to bring it out to the House.

The other body has a bill with a ceiling not quite so high as that in the House. It has a bill for increasing subsistence allowances for the veterans. It has a bill that I understand has been reported out of the committee and is before the Senate similar to the bill introduced by the gentleman from Ohio [Mr. RAMEY]. I understand they expect to get action on those bills.

I believe it is the duty of the House to pass first legislation for the veterans. That has been the history of our veterans' legislation. I am very sorry to state that in some instances the Senate has had to put veterans' legislation as a rider on a deficiency appropriation bill in order to secure the passage of that legislation.

Mr. McDONOUGH. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from California.

Mr. McDONOUGH. I am very much interested in the work the gentlewoman is doing as chairman of the committee.

Mrs. ROGERS of Massachusetts. It is the committee that is doing it.

Mr. McDONOUGH. I know, but they have to be stimulated into action.

Mrs. ROGERS of Massachusetts. They do not need any stimulation; however, I sincerely thank the gentleman.

Mr. McDONOUGH. The question that arises in my mind is, since this is, I think, a matter of interest to most Members of the House, and the Senate as well, I imagine, why should not this bill come on the floor and why should we not get action? Where is the bottleneck? We have no difficulty in getting rules on bills providing for the spending of millions of dollars for foreign relief. The Voice of America bill came through without much difficulty, and that even without an appropriation stated in the bill. An unlimited sum could be spent the way it was passed. In other words, we seem to be giving much more attention to international affairs than to domestic affairs. Some of those international affairs are very vital and necessary and I do not mean to say they are not, but I certainly believe the domestic situation is vital, especially the problems of the veterans who are attending school. I am speaking somewhat from experience, having had five of my

own sons in this last war, three of whom are now attending school. I do not mean to say they are up against the problem of the lifting of the ceiling as are the boys about whom the gentleman is talking, but there are thousands and thousands of other young men all over the country, and women also, who are attending school and in job training that need a lifting of the ceiling for the benefit of the domestic economy of the Nation as well as the comfort and convenience that they are entitled to as a result of their service in the last war.

Mrs. ROGERS of Massachusetts. I will say that is why I asked for time in which to have a sort of forum on veterans' legislation. Does not the gentleman feel there is also misunderstanding among the Members of the House? They do not realize that in no event would the Government give more than \$65 to the single men and \$90 a month to the married men.

Mr. McDONOUGH. That is right.

Mrs. ROGERS of Massachusetts. I think there is much misunderstanding as to the cost of the bill.

Mr. McDONOUGH. When we look at the situation so far as whom it affects we see that it is affecting our own veterans and the money that they are going to get is certainly going to be put into circulation quickly. It is not money that is going to be put away because they are not saving any money on the allowances they are now getting. Many are suffering as a result of not getting enough money and many of them are inconvenienced in the pursuit of their studies and have to take extra jobs in order to carry on for their families. It is a problem, I think, which should receive the attention of the entire Congress before we recess.

Mrs. ROGERS of Massachusetts. I think both of these bills would bring in revenue to the Government. Certainly, an on-the-job training bill would result in money coming into the Government in all kinds of taxes. So while they say it will cost a certain amount of money, much of that money will come back to the Government in the form of taxes.

I think the gentleman would be very interested in having me read to him a statement that was made by Colonel Rusk, the rehabilitation medical surgeon expert and editor of the New York Times, regarding the paraplegic cases and spinal-cord cases. He wrote to Dr. Como, who is one of the rehabilitation men of the Veterans' Administration, and he said:

For the past year, the Medical Rehabilitation Service and the Neurological Service of the Veterans' Administration hospital at Minneapolis, Minn., have been concentrating their efforts on long-term chronic neurological patients of World War I.

Many of these patients had been flat on their backs for as long as 10 years, never having been out of bed. All of them needed constant care and medical attention. At the end of approximately a year, by means of concentrated rehabilitation procedures, the following results had been accomplished:

Out of the 130 chronic neurological patients who were in the neurological ward of the Veterans' Administration hospital at Minneapolis, Minn., 25 have been completely rehabilitated and are capable of taking care of themselves. They are out of the

hospital and are supporting themselves. Forty have progressed sufficiently to warrant discharge and are doing some productive work for 2 or 3 hours a day. Thirty more are up and about, enthusiastically working on their rehabilitation with a good look-out. Twenty-five more have demonstrated their ability to care for themselves and this is as far as they should attempt to go in their rehabilitation. Only 10 of the 130 have been unable to leave their beds and will be unable to progress any further in their rehabilitation.

Aside from the humane aspect of getting these long-term veteran patients out of hospitals and back to their homes as self-supporting citizens, there is a tremendous saving to the Government by releasing them from hospitalization. These World War I veterans have a life expectancy of at least 6 years. In 6 years at an average patient-day cost of \$10 a day for hospital care for the 25 patients who have now left the hospital and are self-supporting will mean a saving to the Government of over half a million dollars.

So the rehabilitation work that is being done for the men and the amount of money being spent in order to get them rehabilitated is not very much and tremendously worth while. The Veterans' Administration is approving certain types of house for the paraplegic cases. I say this to the gentleman from California because he has many of them in his district. That would be an initial cost but in the end it will mean a great saving to the Government. It will mean that these men can be self-supporting and go out in the world again. The Veterans' Administration's work in rehabilitation is one of the finest things that has ever been done. General Bradley and General Hawley deserve great credit for doing it, and it must be encouraged and continued.

Mr. McDONOUGH. Will the gentleman yield further?

Mrs. ROGERS of Massachusetts. I yield.

Mr. McDONOUGH. There is another matter that I think should be given some thought in connection with this increase in the ceiling for educational benefits. Although \$65 a month for a single man and \$90 a month for a married man at the time they entered the school was, on the surface and in the minds of many, sufficient to carry them, the cost of living has increased to the extent that in fact the food that some of the colleges were serving has been cut to the point where it is hardly enough to sustain them. We have not considered that. We should. We have not met the situation as the cost of food has advanced. These boys, thinking that \$65 and \$90 was going to carry them along, find that the cost of living has advanced beyond that until \$65 I would estimate today is worth hardly \$50, and \$90 is hardly worth more than \$75.

Mrs. ROGERS of Massachusetts. That is correct. It will be a very good investment.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the able chairman of the Subcommittee on Education and Training, who has held many hearings.

Mr. RAMEY. The special Committee on Education and Training invited stu-

dents from colleges all over the United States, and in the break-down the average additional cost from what it was in 1943 was 19.2 for the student. That is the testimony of practically all colleges, on the break-down.

I might say further, in answer to the gentleman's question, that the gentleman from Kentucky [Mr. MEADE] also has made an investigation. And that is practically what he found, as I understand it. They have poor boy colleges as well as rich men colleges in his State. Did not the gentleman's figures bear out that fact, that that is about what the increase was?

Mr. MEADE of Kentucky. Will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield. The gentleman made a very fine survey before his bill was introduced, and a very scientific survey. The committee has had very full and complete hearings on the legislation. It is not hasty, ill-considered legislation.

Mr. MEADE of Kentucky. I made a 10-day, 16-school survey to see exactly how these veterans who were in school were getting along under the GI bill of rights. I found that in all the cafeterias on the 1st of the month the average amount spent per meal was what you would consider adequate diet. Each day until the last of the month the amount spent per person per meal gradually went down to the point where in the last week no one could say it was an adequate diet.

I remember well when the GI bill of rights was passed, because I was in the South Pacific. I was concerned about these young men who had gone in at the ages of 18 and 19. During the 3 or 4 or 5 or 6 years they had been in the service they had gone from adolescence to maturity. They had not completed their education. In talking to them I knew they were anxious to come back and get married and get jobs and get to earning their own way. They had been earning their own way in the service. When the GI bill of rights was passed, it originally contained figures of \$50 for a single man and \$75 for a married man. I was glad to see that. I talked to every boy in my own particular department, pointing out the great advantage and for him to start now making plans to take advantage of this legislation. I was glad to see that later increased from \$65 to \$75 because of the recognized increase in the cost of living. Now there has been even a greater increase in the cost of living. The bill that I introduced in the committee, which was passed out unanimously, provides for some increase to married veterans and veterans who have children. It is necessary legislation in order to keep the contract that was made at the time these veterans were serving their country.

Mrs. ROGERS of Massachusetts. Does not the gentleman find this has been an excellent investment, one of the finest things Congress has ever done, giving the veterans a chance to study, to go to college? And they stand well up in the first quarter of their classes. General Eisenhower says it has been a wonderfully fine, constructive piece of work that has been done by the veterans



themselves and also by the Veterans' Administration.

Mr. MEADE of Kentucky. I may say that every instructor, every school official I interviewed made the statement that the GI bill of rights has been the greatest boon to higher education in this country of anything that has ever been done. They predict that even after the GI bill of rights—and it is a temporary measure—ultimately expends itself, that even after it has completely expended itself, never again will the enrollment in the colleges and universities in this country be less than it is today.

Mrs. ROGERS of Massachusetts. And is it not true that it is almost impossible for a person to secure any sort of job in the Government or elsewhere unless he has a college education?

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. RAMEY. And every college dean that appeared testified in substance as will be borne out by the gentleman from New Mexico [Mrs. Lusk] and the gentleman from Kentucky [Mr. Meade], that the veteran was a better student than the nonveteran, and that the married veteran even exceeded the single veteran in scholastic accomplishments.

Mrs. Lusk. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mrs. Lusk. Mr. Speaker, I would like to add to what the gentleman has said regarding the importance of this consideration the fact that veterans did not ask for help through the GI bill of rights when they were coming home. The Congress, out of the goodness of its heart, passed the GI bill of rights, which I think is one of the finest pieces of legislation we have ever had. It will have far-reaching effects upon the country even beyond the benefits they are getting now.

Many of these boys had gone away without adequate education. They had never before had an opportunity to do the things in school that they might have wanted to do when they returned and found they did have this opportunity. But with the increased cost of living they have found that they have had to spend most of their savings to meet their added living costs. Now, beyond question, they need greater subsistence payments. It is true that the Government did not perhaps plan to finance their entire educational expense, but to pay the basic expense. But it is also true that costs have risen, have more than doubled since the time the GI bill was planned and passed. I believe we have a contract with these men that the Government should fulfill. As I said before, they are using up their savings in financing their living in addition to what they receive as subsistence. If we do not do that we are going to leave them a rather disillusioned group of young people.

I discussed this matter rather at length earlier in the week in an extension of remarks in the RECORD, and I would like to have the people interested in the matter read that extension to get my point of view, because I think that after having talked with a number of these young

people that I have expressed rather clearly the things they feel and the things they expect of the Government. I will not take any more of the gentleman's time, but I would like for the Members to read the extension.

Mrs. ROGERS of Massachusetts. On what date was the extension made?

Mrs. Lusk. I think it was Monday or Tuesday; I am not certain.

Mrs. ROGERS of Massachusetts. If the gentleman will put that in the RECORD, it will be helpful. She has brought fine experience on this type of work to the committee.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. I have been very much impressed with the statements by the speakers who have just preceded me with reference to the question of student assistance. Needless to say, I am in accord with what has been said. I also wish to take this opportunity to express to the chairman of our Veterans' Committee and the membership of that committee my appreciation for the very helpful, sympathetic interest they have taken during this session of Congress with respect to veterans' matters. I wish to also emphasize at this time my interest in the question of what can be done to increase the amount of benefits paid to the dependents of deceased veterans. The statements that have been made with reference to the increased cost of living bear down very heavily upon the dependents of deceased veterans. I am particularly interested in that subject.

I am also interested as to what, if any, program has been adopted with respect to arrested cases of tuberculosis. We are all familiar with the difficulties which arise to those who are in the arrested case category. They cannot go out into the world and work as others do. It seems to me there is a continuing obligation there to see that these arrested cases are properly taken care of during the period when the cure is being carried on. If the gentleman from Massachusetts, chairman of the Veterans' Committee, could give me any information on these two matters, I will be very grateful.

Mrs. ROGERS of Massachusetts. I shall be very delighted to and I am going to ask the gentleman from New Jersey, Judge MATHEWS, the chairman of the Subcommittee on Pensions and Compensation to give the gentleman that information because he has held exhaustive hearings on those subjects. Can the gentleman explain that to the gentleman from New Jersey?

Mr. MATHEWS. In answer to the gentleman from New Jersey, may I say preliminarily this: The gentleman from Massachusetts has spoken very ably about the program which the committee has inaugurated with respect to veterans' benefits; also we know that this House passed the cash payment for Terminal Leave Bonds Act. All that takes care of veterans generally. In 4 or 5 years this on-the-job training program and the educational program in the colleges under the GI bill of rights, the terminal leave and all similar things which pertain to

veterans generally, may be settled. In about 5 years, I presume, most of it will be out of the way. But always we have with us that class of veteran who is nearest and dearest to my heart, the disabled and their dependents, those who were left bereaved by reason of the fact that their husbands, their sons, their fathers have died in the service of their country. So I am very glad to tell the gentleman from New Jersey, as chairman of the Subcommittee on Compensation and Pensions, that subcommittee has had referred to it between 80 and 90 bills. After culling over those bills and studying them we divided what we thought were the most important bills to consider into six separate groups. Hearings have been held on all those six groups.

The first group of those bills had to do with an extension of the rights under the act passed last year, which was a rider on an appropriation bill from the Senate, for automobiles for amputees. The purpose of the bill reported by the committee, after hearing and consolidation of bills, was to eliminate, if possible, as many of the discrepancies and discriminations as we could, which were created by the act of last year, and a clean bill was introduced by me which included the blind and paralyzed veterans. That bill has been reported out by the committee.

Mrs. ROGERS of Massachusetts. I had a letter from a man today who is blind and has given both legs for us. He cannot get an automobile, because he cannot drive it himself. Under Judge MATHEWS' bill he would be given transportation. He is perfectly healthy. So that man can work if he can be given transportation.

Mr. MATHEWS. The second group of these bills has to do with the very question that the gentleman has just raised, the tuberculosis cases. Of course, tuberculosis is a different kind of an ailment than a man gets in battle, when he is shot. It is something which even as yet physicians do not know all about. We do know that if a man has a case of tuberculosis it may be arrested, as they call it—they do not say it is cured. I have never found a physician yet who said a man was cured of tuberculosis. If it is arrested, then that man has a condition under which they let him go out and say that he is capable of working, and he can work. But if he works too hard physically or is under too great a nervous strain, it is always likely that he may break down again. For that reason, after these extensive hearings on the bills of that group—I do not think I am divulging any secret in saying that tomorrow the subcommittee will report to the main committee with a recommendation to report out favorably a bill which will allow every arrested tuberculosis case to be rated at 100 percent for 2 years, and thereafter at 50 percent for 5 years, and thereafter the worst cases, that is, the more advanced cases—advanced before they were arrested—will be given a rating of 40 percent for the rest of their lives and the minimum and moderate cases a rating of 30 percent for the rest of their lives.

The purpose of that is this: If in the 2 years which follow the man's condition

of arrest of tuberculosis he feels that he has got to go out and work hard to make a sufficient amount to live on, he is very likely to break down and be taken into the hospital and be a 100 percent case and perhaps die, whereas if he has a reasonable rating or 100 percent rating for 2 years, that will give him a chance not to have to work so hard and further build up his strength and resistance to the disease so that he will not have the same chance of breaking down that he had before. Then after that period he is further strengthened, and even though he can then go on working in better shape than he did before, that same possibility always remains, in cases of stress and strain, and we feel that he should be allowed a 50 percent rating for the next 5 years so that he may be taken care of under those conditions. And since the medical testimony shows he is only "arrested" and not cured, he obviously has a permanent disability, even though it may be latent. So, finally, so that he may have something on which he can rely the rest of his life, so that he will not at any time be put in the position where he will have to strain to earn every cent of his living, we feel he should be given a 40 percent rating for the rest of his life in the advanced cases and 30 percent rating in the other cases.

Mrs. ROGERS of Massachusetts. That is not on the calendar yet.

Mr. MATHEWS. I am not disclosing any secrets when I tell the gentleman that the subcommittee has acted upon the bill and will report it favorably to the full committee tomorrow.

Mr. WOLVERTON. It is gratifying, indeed, to find that the committee has given careful consideration to this class of cases that are entitled to our sympathetic consideration.

Mr. MATHEWS. Another group of these bills which we considered were what we call income-limitation bills, that is, the dependents of veterans who died of a nonservice-connected disability, because there is no limitation on the income of dependents of veterans who have a service-connected disability. That was fixed years ago at \$1,000 for one person and \$2,500 for more than the one. The cost of living has gone up so much that we have had extensive hearings on these bills which provided varying rates and contained varying provisions, on the subject of the increase of this income limitation, with the result that there will be another bill reported by the subcommittee which will increase those income limitations to a reasonable extent. Then it is entirely up to the committee and this House as to what will be done with that bill. The consensus after the complete study was that a fair amount today would be \$1,800 and \$3,000, with certain limitations and restrictions.

Mr. WOLVERTON. I am pleased, indeed, to have that report from the chairman of the subcommittee. As some of you may realize, I have known him for many years. I know his interest and activity in behalf of veterans. He has been the New Jersey State commander of the American Legion and has always been aggressive in promoting the welfare of veterans and their dependents. I realize that his heart as well as his

head is in the consideration of these subjects. It is very gratifying and encouraging to hear what he has reported and that action may be soon taken to bring these matters to the attention of the House.

Mrs. ROGERS of Massachusetts. May I say to the gentleman that the entire committee knows that the gentleman has worked tirelessly on the bills before his committee. I think 250 or 260 bills were introduced before our committee. It takes a great deal of time to study them. The gentleman and other chairmen of subcommittees have been very exhaustive in the research they have made on this legislation. I know the gentleman has spent virtually his life in helping the veterans. When he does it he does it not just with his heart but with his head. His bills are thoroughly well prepared. He knows all about them.

May I say to the gentleman from New Jersey that the gentleman from Ohio [Mr. RAMEY] has before his subcommittee several bills which ask for education for the widows of combat veterans, service-connected veterans, and the education of their children. I may not be correct in this, but I think there has been a little delay in a decision on that because they were waiting for reports from the Veterans' Administration. It has also been suggested that the different groups of widows get together and state exactly what they want, that they all agree on what would be most helpful to them.

Mr. WOLVERTON. I thank the gentlewoman for the opportunity she has given me to express my interest in these matters. I congratulate her and the other members of the committee on the fine job that is being done by the Committee on Veterans' Affairs.

Mrs. ROGERS of Massachusetts. It is a wonderful committee. I thank the gentleman.

Mr. MATHEWS. May I say to the gentleman from New Jersey that we also held hearings on bills to increase slightly the compensation for what are known as gold-star mothers, that is, the widows, and their children, of men who died of actual service-connected disabilities. My acquaintance with the gentleman from Camden, although he is not a veteran, convinces me that I do not know of a better friend of the veteran than he. I have watched his career since long before I even thought of being in this body. He has always, continuously, been a friend of the veteran.

Mrs. ROGERS of Massachusetts. I know that is absolutely true. I have known the gentleman from New Jersey for a good many years in the Congress. I know that is true of him. The fact that he and other Members are now staying at this extremely late hour to discuss veterans' legislation is proof of their great interest.

Mr. KEEFE. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I have listened with great interest up to date this afternoon, and at a very late hour, as she has indicated, to the discussion that has developed with reference to the pending vet-

erans' legislation. Some criticism has arisen in certain quarters because of the failure of the Congress to enact veterans' legislation more promptly at this session of the Congress. I think the committee of which the gentlewoman from Massachusetts is the distinguished chairman has been doing and is doing a very remarkable job in giving careful, proper, and due consideration to the hundreds of bills that have been screened through the various subcommittees of that committee.

I know that the chairman of the subcommittee like Judge RAMEY and my good friend, FRANK MATHEWS, and others who are making a wholehearted attempt to try to develop good legislation in the interest of the veterans will finally succeed and their efforts will bear fruit when this legislation comes to the floor and receives the approval of the Congress.

I have a great interest at this time in this matter of expediting, if I can, the increase in the amount of allowances in the GI bill to these young men, unmarried and married, who are endeavoring to complete their education. The time is limited. We cannot delay that legislation unduly. We cannot go back.

Mrs. ROGERS of Massachusetts. That is so very, very true.

Mr. KEEFE. The time is passing and these people are suffering.

My attention was directed to this very forcibly by the attitude of the State Department when they brought to the Congress, first, their student-aid program. I assume it would not have been brought here had there not been careful consideration given to the cost of living at universities. The amount that was suggested in that bill for the student exchange program was so far out of line with what we are now doing for our own students that it made the GI program look ridiculous.

Then, may I say to my good friend, the gentlewoman from Massachusetts, that we recently in connection with the Turkish-Greek proposal, as part of the Greek program, proposed to bring a great number of students from Greece entirely apart from the student exchange program. There, I found upon examination that the total cost per student would be approximately \$4,200 a year.

Mrs. ROGERS of Massachusetts. And \$10 a day under the State Department plan.

Mr. KEEFE. Yes. It seems to me that the Congress can expedite consideration to final passage of the legislation that is designed to give some increases in the amount for these young people.

I want to make one other statement if I might.

Mrs. ROGERS of Massachusetts. I hope the gentleman will.

Mr. KEEFE. I think it is very interesting in connection with this whole program. I believe that the educational program under the GI bill is going to demonstrate not only to the people of this country but to the people of the world that it has been the greatest experience of government in the field of education ever known. The experience



that we are now undergoing in spending about \$1,800,000,000 of the public's money in the cause of supplementing educational opportunities in this country is going ultimately to be a very potent argument against the ideas of those who say that if the Federal Government ever gives aid to the cause of education it must at the same time so supervise that education as to control it.

We are now making a contribution of about \$1,800,000,000 to the cause of education in this country for the present fiscal year. I have not found one single complaint any place in the country where it is contended that the War Department or the Veterans' Administration or the Government, or anyone else is attempting, by reason of that contribution in the payment of tuition fees or the payment for textbooks and laboratory fees and so on, to direct the curricula or the hiring of teachers or do anything that would implant the foot of the Federal Government into the cause of education. I believe that is a point that has not been discussed to any extent that I am aware of on the floor of the House. But it is an impression that I have gained. That is going to be tremendously important when we are called upon ultimately to do something in the cause of implementing the academic and elementary educational institutions of this country.

Mrs. ROGERS of Massachusetts. Is it not also true that it is very valuable to have these veterans in the colleges, because the veterans will not permit any communistic ideas to be disseminated?

Mr. KEEFE. I took the time to go down to the University of Wisconsin and I talked with the president and the dean, where they expect to have some 2,600 students. I think they have approximately that number at the present time. It is an amazing growth. It was contended by many people that they were going there to loaf on the job and squander this pitiful allowance which they are given to live on. But I got the records from him and it is a tremendously beautiful thing to see that these veterans who are there, standing right up in the higher brackets all the way through. The married ones are a little higher, perhaps, than the single ones, showing their earnestness and their desire to obtain an education. They are not squandering this money, as was predicted. I think that is a great thing that has been done by this Congress.

Mr. McDONOUGH. Will the gentleman yield?

Mr. KEEFE. Yes.

Mr. McDONOUGH. What is the gentleman's opinion of the value to the future of this Nation in comparison to educating 180 Greeks or giving proper and adequate support to our own veterans for an education?

Mr. KEEFE. Of course, I think the asking of that question answers itself. However, no one can prophesy just what might be the result, in view of the very disturbed and difficult situation that confronts the world today and the things we are trying to do. The education of 180 Greeks, if they could be properly indoctrinated with the American concept of life and the American concept of doing business, and they would have an

opportunity to go back and spread the doctrine of Americanism in Greece, might be a valuable contribution, but I do not think we can afford to do that at \$4,200 a year and expect our own veterans to do it on the basis of 90 bucks a month.

Mr. McDONOUGH. Does that not emphasize the necessity of educating our own veterans and giving them adequate pay to educate them?

Mr. KEEFE. In other words, you say what is good for the Greek ought to be good for the American?

Mr. McDONOUGH. Yes.

Mr. KEEFE. I agree with the gentleman.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. RAMEY. I want to thank the gentleman from Wisconsin [Mr. KEEFE] for his reference to the veterans not loafing on the job. The report break-down to the Subcommittee on Education and Training in most of the colleges throughout the country shows that only about three-tenths of 1 percent have in any way loafed on the job or in any way used this training in a way to dissipate their time.

Mr. McDONOUGH. Is that three-tenths of 1 percent?

Mr. RAMEY. That is three-tenths of 1 percent only, throughout all the colleges of the country as far as we were able to break down from testimony. It represents most of the colleges of the country.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I listened with a great deal of interest to the remarks made by the distinguished gentleman from Wisconsin [Mr. KEEFE], particularly with reference to veterans' education. I want to say I am in hearty accord with them. I also want to take this opportunity to compliment the gentleman and her committee for doing their job, at least, in bringing out good veterans' legislation this year. It is my understanding that her committee has reported out a bill to give automobiles to amputees, which, of course, should it come to this floor would probably pass without a single dissenting vote. They have also reported a bill from that committee which will raise the subsistence for these veterans in school, which also would pass this House probably without a dissenting vote. It is my understanding that they also have reported out another bill—and all of this is needed legislation and good legislation—to raise the ceiling for veterans under the on-the-job training program.

So certainly the gentleman and her committee have done their part in this thing and I want to congratulate them. I am wondering, however, why none of this legislation has ever come to the floor of this House; and I am wondering why it has never gotten past the Rules Committee.

I should like for the gentleman to tell me if the majority leadership in this House is attempting to economize and to

cut the cost of government at the expense of the disabled veterans, our veterans in schools, our amputee veterans, and the veterans of World War I; and not only to cut the cost of government, but also to foot this Knutson "soak the poor" tax proposition?

Mr. MEADE of Kentucky. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Kentucky, then I will answer the gentleman from Mississippi.

Mr. MEADE of Kentucky. I wish to take this opportunity to point out to the gentleman from Mississippi that, while the Veterans Affairs Committee has a majority of Republicans in its membership, yet so far as I have been able to observe, the opposition to veterans' legislation is strictly on a nonpartisan basis. We do have silent opponents in both the Democratic Party and the Republican. It is not a party matter at all.

Mr. WILLIAMS. I would like for the gentleman to tell me who is holding them up.

Mrs. ROGERS of Massachusetts. I think perhaps I can give the gentleman a partial answer, but not entirely because I cannot read the minds of the leadership of either party in the House. I have asked the minority leader to allow certain legislation to come up under suspension or by unanimous consent. As the gentleman knows, I have to clear all bills with the Speaker and with the majority and minority leaders before I can for my committee ask to bring up bills. I am still waiting for a reply from both the majority and minority leaders on certain bills. The Speaker has promised me that he would recognize the chairman of the Veterans' Committee to bring up certain bills.

Unfortunately, I may say that the history of veterans' legislation for a great many years has been that it is brought up in the closing weeks or closing days of the Congress. I deplore it very much and deplore it particularly this year, when so many of our veterans have come through an extremely long war, the longest war the United States has ever fought—I regret extremely that it should be so this year, and particularly in the case of the disabled veterans.

It has been a war of nerves and strategy to get out veterans' legislation.

I may say to the gentleman again that I have been promised that certain bills will come up for action on the floor. Certainly I know the members of my committee are working night and day to get the leadership on both sides to allow the legislation to come up. Once it reaches the floor of the House it will go through without opposition.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. McCORMACK. I am very much interested in what the gentleman from Massachusetts has had to say. I am sure she remembers that during the closing days of the last session I worked closely with her.

Mrs. ROGERS of Massachusetts. Yes; and I thank the gentleman from

Massachusetts over and over again for his cooperation. It was unfailing and extremely valuable.

Mr. McCORMACK. I was wondering—I did not intend to get into this discussion, except I was wondering what bills the gentlewoman took up with the minority leader this year? That is the only aspect into which I wish to inquire. I wonder if the gentlewoman would tell me what bills she has taken up with both the majority and minority leaders.

Mrs. ROGERS of Massachusetts. In view of the fact the minority leader is not here he might not like to have me state the bills. If he were here I would gladly state them.

Mr. McCORMACK. So far as I am concerned I do not know of a bill that has come out of the gentlewoman's committee but what I think the committee—and it is not partisan, I agree with her that the committee approaches it from a nonpartisan angle—I do not know of any bill that has come out of her committee that I could not wholeheartedly support. Yes; I will go even further; I would support a bill to give automobiles to the blind veterans. We cannot extend too much consideration to those who have given their all or who are going through life with an arm or a leg or two arms and two legs amputated. One young man I met with two legs and an arm amputated. There are others who go through life with their sight taken away from them. The gentlewoman has always fought hard for the veterans and as chairman of the committee has reported out certain legislation that if taken up by the House, I agree with the gentleman from Mississippi, would pass unanimously.

Mrs. ROGERS of Massachusetts. The minority leader did not say he would oppose the legislation. He was opposed to having it come up under suspension or by unanimous consent. I talked with both the majority and minority leaders today, and the Speaker, regarding the bill introduced by the gentleman from Connecticut [Mr. PATTERSON], and I understand it has the green light. Perhaps I should not announce that, as they will wish to announce it, but that is one bill we got the green light on today.

Mr. McCORMACK. And the gentlewoman hopes to get some more green lights?

Mrs. ROGERS of Massachusetts. Yes. I am glad the gentleman brought up the blind. There is a man in Lawrence, Mass., who is blind and has given one hand also for his country. Another boy in California is blind with both hands gone. If that man can get transportation, he can get a fine job. That is true of these men. If you could see these blind boys, if they could get cars, could be transported, they can get their families to drive them, they can get jobs. With the crowded transportation in streetcars, the whole problem of transportation today is very different from what it was some years ago.

Mr. PHILBIN. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Is it not true that there is pending before the Rules Committee a bill which would provide cars for additional classes of amputees, also to the blind?

Mrs. ROGERS of Massachusetts. Yes, that is true, the bill offered by the gentleman from New Jersey. It is a better bill than was passed by the House last year. I would like to remind the House at this point that the blind are always classed with amputees for purposes of rating. That one group always goes together. To leave it out is very marked. Their need is extremely great. Then there are the paraplegic cases and the arm amputees.

Mr. PHILBIN. I have had occasion before, and I take this occasion, to commend the gentlewoman from Massachusetts for her interest and activity in all these veteran matters. I know that she is performing her full duty in this regard. I know that she has made very unusual efforts not only to work out the details of these measures—and there are many of them—but also to have these measures reported from her committee and presented to the Rules Committee. I am at a complete loss to understand why important, vital legislation of the character that has been discussed here by the gentlewoman and other Members of the House on this occasion, after having been reported from her committee, has now been delayed and blocked in the Rules Committee or in some other place in the Congress. I think that the country, the veterans, and the Members of the Congress have had enough lip service about these matters, and we are now asking and demanding action on this vital veterans' rehabilitation program.

Mrs. ROGERS of Massachusetts. The gentleman is absolutely correct. During the war it was the veterans first. Now that the war is over it seems the veterans are last.

Mr. PHILBIN. In line with the questions propounded by the distinguished gentleman from Mississippi [Mr. WILLLIAMS] and Mr. McCORMACK, our esteemed former majority leader, may I ask the gentlewoman where does the blame and responsibility lie for the obstruction of this vitally and urgently needed legislation, and how, if at all, are Members of this House in a position to facilitate and expedite consideration of these measures by the House before adjournment?

Mrs. ROGERS of Massachusetts. May I say to the gentleman I think by constantly talking about it, and I also think that the public and the press, the radio, newspapers and the magazines could be extremely helpful. During the war and then after the war the press and the radio were always talking about what could be done for the veterans. I am told that reporters here in the Congress send the news of the veterans and veterans' legislation to their newspapers and those stories are not carried. Now, I ask you why? I think if the press would carry more news, it would be enormously helpful. People are busy, people are forgetting. They do not want to forget the veteran, but they are forgetting. The public should not be careless about

their veterans. And it is the first duty of Congress to care for them.

Mr. PHILBIN. Has the gentlewoman, or some member of her committee, already appeared before the Committee on Rules in these matters?

Mrs. ROGERS of Massachusetts. Yes. We have not been allowed appearance on all bills, but we have appeared a number of times before the Rules Committee.

Mr. PHILBIN. Have you been accorded hearings?

Mrs. ROGERS of Massachusetts. We have some. Of course, some insurance bills have passed the House. I think another insurance bill is likely to pass.

Mr. PHILBIN. Does the gentlewoman have any assurance from the Members of the Committee on Rules, the chairman or its members, that she will be given an opportunity to be heard?

Mrs. ROGERS of Massachusetts. Not yet, but I have been told by the Speaker that the committee would secure the passage of some legislation.

Mr. RAMEY. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. RAMEY. I am rising for the purpose of answering questions propounded by two of the Members. First, I want to answer this gentleman's question. I think there are a great many members of the committee here, and that the committee is indeed nonpartisan. I want to direct your attention to the fact that the only bill that has passed through the House from our committee, to my knowledge, by unanimous consent, has been the Wheeler bill, and its passage was by my recommendation and work on the floor, when someone wanted to stop it. Mr. WHEELER is a Democrat from Georgia, a veteran, and a good man. He is the only man that had a bill passed, with the exception of the Spanish-American War bill; I mean, by unanimous consent. The Spanish War bill was a record vote.

Mrs. ROGERS of Massachusetts. Some insurance measures passed by unanimous consent.

Mr. RAMEY. That is correct. However the Wheeler bill—like the Kearney bill—the Meade bill—the Ramey bill—and so forth are major bills. His cleared with our blessing. Republicans on the committee thought of the veteran—not a party.

Mr. TALLE. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Iowa.

Mr. TALLE. It is a genuine delight to me to commend the gentlewoman from Massachusetts for her unswerving devotion to all matters having to do with veterans' affairs. I want to say that in my contacts with the Committee on Veterans' Affairs I have received the very finest cooperation. Is it possible for the gentlewoman at this time to say when the House will act on my resolution, House Concurrent Resolution 54?

Mrs. ROGERS of Massachusetts. I was told today that the gentleman's resolution which states that it is the judgment of the House that the Schick Hospital



at Clinton, Iowa, should be used for domiciliary purposes, under suspension, would come up. I was told today that I would be recognized under suspension of the rules to bring it up, but because the other bill took so long I was not recognized to bring the bill up for discussion and passage. I am told very definitely that that is one of the "must" pieces of legislation.

Mr. TALLE. I am very glad to have that information. There is another thing I want to mention, if I may. Reference was made a moment ago to the \$90 given per month to married veterans in college. Now, this month in one large school I know about they did not get \$90; they got \$81. They were docked \$9 for some reason that I consider invalid. Getting their checks at least 2 weeks' late, and in addition being docked \$9, is a real hardship. The only explanation I have at hand is that 3 days elapsed between the closing of one semester and the beginning of another. But those 3 days were a week end, and our veterans need the full amount the law allows, as intended by Congress. I wonder if any explanation can be given that is satisfactory as to the dockage of the \$9 for the month of June?

Mrs. ROGERS of Massachusetts. That is an outrageous thing, I will say to the gentleman.

Mr. TALLE. I thank the gentleman.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The observation I was going to make is that knowing the gentleman from Massachusetts as I do, as a very able and determined legislator, that I think she has been very original in getting this 3 hours to call to the attention of the membership of the House, and those who are not here will have it called to their attention, and to the people of the country, that she is going to conduct an intensive campaign between now and the end of Congress to see that legislation that she and her committee thinks ought to pass is considered; is that correct?

Mrs. ROGERS of Massachusetts. That is correct. The members of the committee are very determined, and they will not permit any obstacle to stand in their way.

Mr. McCORMACK. All I can say as one who occupied the position of leadership here for 6 years is that I did not have to have any such engagements carried on to have me cooperate, because we used to do a lot of conspiring ourselves. Am I right?

Mrs. ROGERS of Massachusetts. That is absolutely correct. As I said before, the gentleman was invaluable.

Mr. McCORMACK. All I can suggest to my friends in the leadership position on the other side is that they had better pay heed to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. I have been assured that veterans' bill will be taken up for action, but it is very late just as it was last year and other years.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Georgia.

Mr. WHEELER. I should like to thank my distinguished friend, the gentleman from Ohio [Mr. RAMEY] for the reference he has just made. At the same time, if I can do so without breaking any of the rules, I should like to enlist the aid of those of you who are present and those who may read the Record tomorrow in using your good offices, if you have any influence, and I am sure you have, in some other body to expedite the passage in that body of the bill to which the gentleman from Ohio [Mr. RAMEY] referred.

Perhaps you do not remember the main features of that bill. Some people consider it incidental. The reason for that bill being introduced, the bill known as H. R. 2181, is that in August of last year the Veterans' Administration, at the instigation of some individual down there who seems to think of education only in terms of what you learn inside four walls, in terms of the little red schoolhouse, if you please, caused the issuance of an administrative order known as Administrative Order No. 8. That order stated, in effect, that those veterans in this country, 30,000 of whom are presently enrolled in this program, who were taking vocational extension training under the GI bill of rights would have their subsistence prorated according to the actual number of hours spent in a classroom.

To set up a hypothetical case, two veterans, we will say, are brothers. One of them wants to learn to be a mechanic or a machinist. The other wants to learn to become a farmer. The one who wants to learn to become a machinist or mechanic takes the industrial training. He can get the training under the GI bill of rights and not go to school a single hour, not take academic classroom work a single hour, and draw his full subsistence. But along comes the Veterans' Administration and says to the other brother that because he is trying to learn to become a farmer—and there are a lot of people in this country who are interested in farming—his subsistence would be only one-fourth of \$65 or one-fourth of \$90 each month, depending on whether he is single or married.

At the instigation of certain people here on the Hill General Bradley rescinded that order pending action by this Congress. H. R. 2181 is that action. The Members of the House were kind enough to allow it to pass by unanimous consent. In the Veterans' Administration, the same person, who is very close to the head of the administration, gave the implication in the report on that bill that the bill H. R. 2181 would cost \$49,000,000 beyond the budget estimate.

That is an erroneous conclusion. The \$49,000,000 is the difference between what the program would cost if we were to allow it to go according to administrative order No. 8 of last August and what it is now costing. The program is now being run as it should be run. H. R. 2181 does not cost a single extra penny but merely stabilizes and standardizes that program.

It gives the boys who are trying to learn agriculture some assurance that their program will have stability.

I would like to again enlist your aid in helping me to secure passage of that bill in another body. It has been indicated, in the course of an attempt to ascertain during the last few days the reasons for this bill being held up in another body, that certain people have been given the impression that this bill was an attempt to coerce veterans taking vocational extension work into voting one way or the other in next year's campaign. That is the most erroneous and outrageous thing I have ever heard of. There is nothing in the bill that would have anything to do with that. The bill does one thing and one thing only. It sets up certain standards, a certain number of hours on the average for the country as a whole. It says to the Veterans' Administrator that if the program in a certain State or any State meets those standards and is approved by the State agency that full subsistence will be paid.

I would like to close my few remarks by saying that the chairman of our committee has done a great work. We have been literally deluged with bills of every kind and description. Some bills have been reported out. Some of the bills that have been referred to the committee I have opposed. I opposed a bill which proposed to raise subsistence allowances from \$65 and \$90 to \$100 and \$125 for people who are engaged in on-the-job training simply because I felt that any additional subsistence with the present ceilings in effect would only be an additional subsidy for the employers.

We have had our little differences of opinion, but I want to say we have a great chairman of our committee. She is doing a good job. I have no criticism of her. I have nothing except words of praise for the way that my distinguished friend the gentleman from Massachusetts [Mrs. ROGERS] has conducted that committee. She has been fair almost to a fault.

Mrs. ROGERS of Massachusetts. I thank the gentleman very much. I would like to say that no one has ever had a nicer committee with which to work. The members have been very considerate, very helpful. They have expressed their opinions as they ought to express their opinions. That is why we are sent to Congress. That is how we work in a democracy. Certainly, it has made my task much easier in view of their helpfulness and cooperation whenever they could.

Mr. Speaker, I yield to the gentleman from Tennessee [Mr. PHILLIPS], who is the chairman of the Subcommittee on Insurance. I would like to say he is doing a very fine piece of work in looking into the insurance situation and making certain recommendations along that line. I think it is agreed all over the country that the insurance department of the Veterans' Administration is the one that needs the most help. It is the department which is farthest behind in its work. It is the department that is causing the most distress to veterans because it is behind in its work.

Mr. PHILLIPS of Tennessee. Mr. Speaker, I appreciate very much the fine

statements of the Chairman of our Committee on Veterans' Affairs.

I would like to say that you have been very fair. Your devotion to the cause of the veterans has been indeed outstanding.

I would like to make this remark, that in my opinion the problems facing the veterans, as far as the Veterans' Affairs Committee is concerned, have been approached in a strictly bipartisan manner, and every member of the committee has attempted at all times to serve the interests and welfare of the veterans of this country.

I would like to make this observation, that in my opinion we can be able to bring about some improvements in the insurance program for the veterans of other wars as well as World War II. I would like to pass along for the consideration of my colleagues and distinguished members of the committee on both sides of the aisle the following consideration.

Is it not just about time that the Congress make an appraisal of the assets of this country and look into the question of our public debt and finances? We may look into the question of previous commitments and the wholesale wasting of the finances of America and pouring it into governments of foreign countries so as to impoverish America. Because of this wholesale waste of money in this country in previous days and recently in other countries of the earth we now find ourselves in the position of not being able to give our veterans in America what they really are entitled to. We should not forget the veterans who so nobly fought for this Republic.

While visiting some ports recently, I saw that building material is continuing to be shipped to different ports of the world, when veterans in America would be glad to swap their foxholes and their beds on the bloody beaches of the world for a home or a place to live, or for a shelter. The housing problem is the most critical problem facing the returned veteran. It is my opinion that one of the great faults today is that this Government, in utter disregard of the rights and the needs of the people of this country, including both civilians and returned veterans, is shipping needed building material abroad.

I would like to say that I do think the program for the veteran is not finished. I think there is something to be done for them, and some needed legislation. We must move forward with the program for the veterans of all wars as well as their orphans and widows. I am of the opinion that the Veterans' Affairs Committee has considered some very fine legislation that should be enacted into law, and as early as we can do it I am in favor of reporting out some of this legislation and getting it to the floor of the House and permitting the Members to vote upon it, in the interest of our country and in the interest of our veterans. We must look to the future with the determined purpose to aid and assist the returned veteran to reestablish himself under normal living conditions.

Mrs. ROGERS of Massachusetts. In addition to the legislation that has al-

ready been reported out. The gentleman from Massachusetts [Mr. DONOHUE] is going to speak on a bill which he introduced, which would provide loans to veterans for housing. The gentleman from Wisconsin will speak on the lower rate of insurance. I see the gentleman from Missouri [Mr. BAKEWELL], who is chairman of the Subcommittee on Finance and Administration. His committee is making a very thorough survey of the Veterans' Administration, with a view to bringing down costs and trying to get better results for the veterans.

Mr. BAKEWELL. Mr. Speaker, I wish to compliment the gentlewoman from Massachusetts on what she is doing. She referred to low-cost housing. I consider that to be our No. 1 domestic problem in America today, and I think it is definitely the most critical problem facing America today.

During and immediately after the termination of World War II, the attitude of our citizenry and of our Congress was that the men and women who fought that war were entitled to the eternal gratitude of all Americans, and that this gratitude would take concrete form to compensate them in part for the sacrifices which they had made. I wonder if we have redeemed in full that debt.

Most of those who were in the armed services were forced to give up their homes and their families were broken up. In many instances, their wives and children had to live with parents or with their in-laws. This was necessary because of the reduced compensation which the men in the armed forces received, and because of the absence from home of the family provider.

Many of the service personnel who were single and living with parents have since been married, and now require a home of their own. We all know that no home is big enough for two families.

All of these veterans have been put at a disadvantage to those who remained at home and retained their own homes. Those remaining at home who were tenants were able to hold onto their dwellings and were protected by rent control. Those who owned their own homes and retained them had the advantage of keeping houses which were built when labor costs and building-material costs were only a fraction of what they are today.

There are millions of veterans with families who today are living with parents and in-laws, or in crowded, inadequate accommodations.

Mr. Speaker, I believe that something must be done—and done promptly—for these veterans if we are to keep faith with them. It is our No. 1 domestic problem and it is critical. Many of the veterans are beginning to believe that the heroes of yesterday are the forgotten men of today.

There are pending before this Congress bills such as the Taft-Ellender-Wagner bill and others which provide for low-cost housing for persons in the low-income group. Experience has shown that such housing construction is unattractive as an investment for private capital, and that Government must assist if the move to provide these groups with adequate housing is to be given impetus.

There are those who might contend that such governmental assistance follows a socialistic pattern, but it is my honest conviction that the seeds of socialism and other alien "isms" find much more fertility in the shacks, huts, and hovels where many of our people are forced to exist today than in an intelligent plan of governmental assistance. In my opinion, it is democracy in action for governmental assistance to implement the failure of private enterprise.

I do not contend that the situation today is due entirely to failure of private enterprise, but it is the inevitable result of a long-term economic condition. For approximately 10 years prior to the war we were suffering in a depression, during which time the construction of homes was insufficient to supply our normal requirements. During the war years there was virtually no home construction. As a result, there is a tremendous backlog and an excessive demand that obviously cannot be met with "business as usual."

Some construction is going on today, but where are any homes being built within the reach of the low-income pocketbook?

It is virtually impossible to find any newly constructed residences for sale at less than \$14,000, and of what help is this to the veterans with \$40-a-week take-home pay? There is presently pending before our Committee on Veterans' Affairs a bill providing for governmental assistance in the way of financial guaranty to private enterprise for the construction of multiple-dwelling units for 200,000 veterans. Some such plan is a step in the right direction, but a mere drop in the bucket. We must not think in terms of thousands of homeless veterans, but in terms of millions of unaccommodated Americans.

When we were at war and needed ships, planes, tanks, and guns we got them and won the war. And we can get homes and win domestic peace for a large segment of our population if we forthwith meet the problem and take some action.

The veterans do not consider themselves as a privileged group. They only ask for the opportunity to find a decent place in which to live and in which to raise a family. They seek only an equality of opportunity to find a home. They seek only to be put on the same footing with those whose home life was not interrupted by the war.

Mr. Speaker, I am disappointed that this Congress has not thus far enacted some type of housing legislation. I fully realize the enormity of the situation, and the complexity of the pending legislation, but because of this and because the time for adjournment is drawing near, may I suggest that I think it advisable for the Congress to establish a special committee to study the entire problem as well as all pending legislation on housing. This committee might well consider the problems of financing construction, availability of materials, and all other pertinent phases of building, with a view to making specific recommendations to Congress when it reconvenes.

Mrs. ROGERS of Massachusetts. I think the gentleman will agree with me



that if the veterans are to receive homes we must pass legislation.

Mr. KENNEDY. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. KENNEDY. In view of the remarks of my friend from Missouri, his favorable remarks about the Wagner-Ellender-Taft bill, I am wondering if he has signed the discharge petition at the desk? There are 50 signatures on it but no Republican signatures. In view of his favorable remarks about this bill and recognizing the great housing shortage I hope he will sign it.

Mr. BAKEWELL. I may say to the gentleman that I am in favor of the Wagner-Ellender-Taft bill and its objectives; however, I do not like to indulge in futile gestures by signing a discharge petition at this late date. If I am not mistaken there has been only one instance during the last 60 years when legislation has been enacted through the discharge petition method. So while the gentleman and I concur in the legislation I do not like to engage in futile, idle gestures. I like to follow the orderly processes.

Mr. KENNEDY. We have followed orderly processes for 2 years and we have no decent housing bill. Perhaps the discharge petition is a futile gesture and perhaps any hope as far as housing is concerned is futile, we have little hope of getting housing legislation out of the Banking and Currency Committee. I was wondering if there is any hope of getting housing legislation out of the Veterans Committee?

Mrs. ROGERS of Massachusetts. I think there is hope, and very good hope of doing it. I think the gentleman from Massachusetts [Mr. DONOHUE] will speak on that. He has introduced a housing bill which shows his fine foresight. We are asking the Housing Authority and the Veterans' Administration for suggestions. There were very fine hearings on his bill. I expect his bill will be reported out and it will pass the Congress.

Mr. KENNEDY. I know the gentlewoman from Massachusetts feels that way about it.

Mr. JONES of North Carolina. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from North Carolina.

Mr. JONES of North Carolina. Mr. Speaker, may I insert in the RECORD at this point my commendation for the able and devoted leadership that has been furnished the Veterans' Affairs Committee by Mrs. EDITH NOURSE ROGERS, our chairman. She has been unselfish and most devoted in her service to the veterans' cause as has characterized her entire service in the United States Congress and at the same time has shown great tact in handling the affairs of this important committee and conducting its hearings. Her courtesies have been extended not only to the members of the committee, but to those appearing before the committee from time to time, especially representatives of the great veterans' organizations. The result, as I see it, has been that the committee is, as it

should be, strictly free of any partisanship action. All members of the committee are working toward the same end, namely, to serve the veterans in every way possible. The veterans have made great sacrifices for the Nation and deserve this type of committee service.

In spite of the splendid leadership of our chairman, Mrs. EDITH NOURSE ROGERS, and the work of the members of the Veterans' Affairs Committee, of which I am proud to have been selected a member, only five bills and one House Joint Resolution reported by the committee have been enacted into law during the present session.

The first of these bills, H. R. 1353, now Public Law No. 5, repealed the time limit for the reinstatement of national service life insurance and permitted World War II veterans to reinstate their insurance without the necessity of physical examination.

The second bill, H. R. 1327, now Public Law No. 34, provides a renewal for a fifth 5-year period of Government life insurance under the 5-year period of Government life insurance under the 5-year level-premium term for World War I veterans.

The third bill, H. R. 1844, now Public Law No. 83, permits the Administrator of Veterans' Affairs to grant easements on land belonging to the United States which are under his supervision and control.

The fourth, House Joint Resolution No. 196, now Public Law No. 91, authorizes the Administrator of Veterans' Affairs to continue the offices of his department in the Republic of the Philippines.

The fifth bill, H. R. 3060, now Public Law No. 91, extends for 1 year the authority now given to the Administrator of Veterans' Affairs to enter into leases not exceeding 5 years.

The sixth bill, H. R. 2368, now Public Law No. 115, increases the appropriation for the revolving fund from \$1,500,000 to \$3,000,000 for the purpose of making loans by the Veterans' Administration—not to exceed \$100—to service-connected disabled veterans of World War II who are undertaking vocational training.

Two bills have been reported by the committee and passed by the House of Representatives. First, H. R. 3961 was passed by the House of Representatives unanimously on June 30. This bill provides for a 20-percent increase in the pensions now received by the Spanish-American War veterans and their dependents and the Civil War veterans and their dependents.

The second bill was H. R. 2181. This was passed by the House of Representatives on May 12 and provides for all veterans who are receiving institutional or farm training.

In addition to the bills and one House joint resolution I have enumerated, the Veterans' Affairs Committee has reported 7 bills and 1 House concurrent resolution, none of which have been considered by the House of Representatives.

The first of these is H. R. 246, reported unanimously by the committee on February 26, 1947, which would increase the ceilings of wages for veterans undergoing on-the-job training as follows: veterans without dependents, \$250 per

month; veteran with one dependent, \$325 per month; veteran with two or more dependents, \$350 per month. No decision has been reached by the Committee on Rules before which our chairman, Mrs. ROGERS and some of the members of the committee, including myself, appeared urging the granting of a special rule for consideration of this bill by the House of Representatives.

The second bill is H. R. 3838, which increases the subsistence allowance of veterans as follows: veterans without dependents, \$65 per month; veterans with one dependent, \$105 per month plus \$20 for the first child and \$15 for each additional child.

The third, H. R. 3308, would increase the minimum subsistence allowances payable to service-connected disabled veterans who are attending school.

The fourth, H. R. 4007, provides for automobiles for service-connected disabled veterans who sustained the loss of or loss of use of a foot or hand or who are blind.

The fifth, H. R. 3889, would establish a presumption of service connection for chronic and tropical diseases.

The sixth, H. R. 4155, would grant to veterans of the Indian Wars and their dependents the same increase in pensions—20 percent—that was authorized by H. R. 3961 for Civil War and Spanish-American War veterans and their dependents.

The seventh, H. R. 3625, would provide that members of the Communist Party should be ineligible for veterans and their dependents and exacts penalties for infraction of the law.

House Concurrent Resolution No. 54 provides for the use of Schick General Hospital at Clinton, Iowa, by the Veterans' Administration.

General Bradley has appeared before the Veterans' Affairs Committee many times and has given complete cooperation to the work of the committee. I consider him a very able Administrator of the Veterans' Administration and think he is handling a very large job splendidly.

The committee has considered the important matter of hospital construction and the hospital program and is keeping in close contact with the Veterans' Administration in this program. I might add that General Hawley has been just as cooperative in these plans as General Bradley.

Yesterday, the committee passed a bill which is rather interesting and historical and is a very wise bill to pass. The bill recommends that a hospital for colored people be built in Virginia to be known as the Booker T. Washington Hospital as a memorial to him and asked for an appropriation of \$5,000,000 for the construction of the hospital. The hospital would provide for 350 to 400 patients.

The Veterans' Affairs Committee has met regularly and worked diligently under the leadership of Mrs. ROGERS on their special assignments and I am glad to report that the committee, in my opinion, has had a most successful administration through the Eightieth Congress.

Perusal of the bills considered and reported by the Veterans' Affairs Committee

tee will reveal that none of these bills enacted into law by the United States Congress provide any direct monetary benefits to veterans or veterans' dependents, while many of those reported by the committee and not yet acted upon by the House of Representatives do make provision for direct monetary benefits.

When the veterans entered the military service, they were promised that they would be given every care when they returned and that if they did not return their dependents would be taken care of. In view of all that our veterans have offered to do, even to making the supreme sacrifice, it would seem to me that the least that could be done would be to enact into law legislation making provision for what they or their dependents need. It is difficult for me to understand why the Republican leadership refuses to favorably consider the pleas for rules making possible House of Representatives consideration of the much-needed legislation so carefully considered and reported by the Veterans' Affairs Committee, and I sincerely trust that before the first session of the Eightieth Congress adjourns, which the Republican leadership indicates will be July 26, that they will appreciate the importance of the legislation reported by the Veterans' Affairs Committee and consider it and pass it so that deserving veterans and veterans' dependents may receive what was promised the men and women when they put on the uniform of our country and went to war to protect it.

Mrs. ROGERS of Massachusetts. That proves they are first in peace as well as in war.

Mr. DONOHUE. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to my able neighbor and Congressman, the distinguished gentleman from Massachusetts, my own State.

Mr. DONOHUE. Mr. Speaker, there has not been a day since January 3 that I have not consciously felt the great honor that is mine, an honor that comes to so few in this country, to be a Member of this great body, but a rarer distinction, in my opinion, is to have been selected to serve on the Committee on Veterans' Affairs under the leadership of one of the most personable, one of the most charming, and one of the most able women that I have ever known, the gentlewoman from Massachusetts [Mrs. ROGERS]; likewise to have had the opportunity not only to meet, but to serve with the other members of this committee who have so zealously and so conscientiously approached the many problems that have come before us in our capacity as members of the Committee on Veterans' Affairs.

I am also proud to state that there has not been any bill presented to the committee that I have not supported and voted for. I voted for and supported these bills because I felt that they had considerable merit and that they were benefiting a group that needed so sorely help and assistance from the greatest Nation in the world and what is, in my opinion, the most grateful Nation in the world for which they so bravely fought.

If I were to employ an advocate to plead for the passage of my bill, I would select the gentleman from Missouri [Mr. BAKEWELL], who so ably presented the major problem that is confronting our country today, the housing problem. We all recognize that the family unit is the cornerstone of society. How can a family unit be preserved without a home? There is today a need of millions of homes for the people of our country. But, confining myself at the moment to the veterans' groups whom we are called upon to serve, might I say that of the 13,000,000 men and women that were called to the colors in the last war approximately 50 percent of them are now married. Most of them have either one, two, or three children. The question naturally follows, Have they homes for those children and for their wives? According to statistics that have been compiled by the Department of Commerce, approximately 40 percent of these married veterans are living with their in-laws or other relatives. Many of them have their children placed in other homes and in institutions, because the room they are occupying is not conducive to the health and the welfare of their children.

Is that a way for this great Nation to show its gratitude to those men and women who left good homes to fight to preserve the homes of those they left behind? Is it asking too much? Is it not asking but the minimum that they now be provided with homes, after enduring the hardships of this past long war? I say it is not. As the gentleman from Missouri [Mr. BAKEWELL] so well said, it is the paramount, it is the first, it is the greatest domestic problem that is confronting our country today.

We who happen to be of the legal profession appreciate more than anyone else, probably, the increase in child delinquency, the increase in the number of divorces, the breaking up of the family unit, all of which can be directly traced to the lack of housing facilities.

In my bill, H. R. 3565, I think there is at least a reasonably sound solution to this problem as it applies to the veteran. Today there are billions of dollars of idle capital, private and public capital, waiting for sources of investment from which it may be insured a reasonable return. Is it going into homes? No. All over the country we see racetracks and other commercial establishments being built. Why? Because that money is being channeled into those sources because a minimum risk is entailed. It is not being directed into home building because of the high cost of building materials and the high cost of labor. Therefore, they will not risk that capital.

If we can subsidize all of the ravished countries of Europe, if we can afford to give billions and billions to UNRRA and by way of foreign loans, something we will never get back, I say it is not unreasonable to ask that the GI bill of rights be amended in such a way as to enable private enterprise to go into the home-building field. That is what will result from my bill. It will bring about the construction of rental units, because under present prices and with the income of the average veteran being \$37 a week, as it is up in New England, he cannot go

out and buy a home at a price of \$12,000 or \$14,000.

Under the provisions of my bill the Government will make a loan of one-half the value of the dwelling unit. No dwelling unit can be constructed unless it has four-family living units in it. As a result of such construction and with the financial set-up as planned under my bill, any veteran can occupy or rent one of these homes at a charge of between \$37 and \$42 a month. A five-room dwelling unit will cost a little more. Private capital will be encouraged, in that they will go ahead and construct the homes and will be protected in their investment. They will have the first mortgage on the structure, and it would be paid off before the Government would draw anything by way of interest return or any return on its capital. The first loan would be amortized over a period of 33 years, and then the Government would amortize its second mortgage over the second 33 years. In that way alone can we show that we are concerned about the veteran and his housing problem, and at the same time notwithstanding the fact that the Government is advancing this money, it is reasonably sure, if not absolutely certain, of getting its loan back, something that we cannot and do not expect from the many subsidies that we are extending today to the Maritime Service, to the air lines, to the railroads, to the farm groups, and to everyone else.

Let us recognize this urgent problem and do something to solve it.

H. R. 3565, in my opinion, offers this solution. It is a veterans' rental-housing bill. It should be enacted into law, as it is sound fiscally and practically, for the following reasons:

#### 1. VETERANS NEED RENTAL HOMES

The need for this Congress to fulfill the solemn promise to provide veterans with decent and reasonable rental homes is too patent to require argument. The failure of the Congresses which have been in session since the veterans came home from war is too obvious to need elaboration. For those who need to own a home, the Servicemen's Readjustment Act of 1944 provides some assistance. The value of that aid, however, has decreased as the cost of homes has increased with the inflation of prices of construction materials and labor. But for the vast majority the need is for a decent home to be occupied at rentals which "do not impose hardship upon the veteran tenant, having due regard for their actual average incomes"—section 556. Not to provide such rental homes would be to ignore the most tragic need of the majority of veterans. It would also tend to induce many veterans to undertake the purchase of a home using the \$4,000 gift subsidy which Congress has provided when the veteran was not ready to purchase a home or when the inflated price of purchase actually makes the purchase uneconomic at this time. The majority of veterans are not yet ready to acquire their permanent home by purchase.

This bill, however, provides that applicants for subsidy loans shall satisfy the Administrator of Veterans' Affairs of the need for the rental homes for veterans proposed to be constructed—section 552.



If in a given county the need does not exist, any unused allotment for that county may be reallocated by the Administrator to any county where it is needed—section 554. For anyone who would argue that there is no need for such rental homes, the bill provides a full answer. The need must be established for each proposed construction or no subsidy loan can be authorized—section 552.

#### 2. LOCAL PUBLIC- AND PRIVATE-ENTERPRISE AGENCIES ARE AIDED IN ACCOMPLISHING A PUBLIC PURPOSE

The virtue of this bill is that it makes the maximum use of local public agencies, who are authorized to share some of the responsibility for financing rental homes for veterans, and the fullest utilization of private-enterprise agencies in financing rental homes for veterans. The resulting partnership between local public- or private-enterprise agencies and the Federal Government will reduce by more than one-half the outlay of Federal tax funds in accomplishing the construction under this bill than would be required under legislative proposal to have the Government itself build and own the rental homes for veterans. This is not a public-housing bill. It is a bill to enable local public- and private-enterprise agencies to finance and build rental homes for veterans at rentals which the veteran can pay. The Government's subsidy loan is secured by a mortgage which is reasonably adequate security to insure ultimate full repayment. The bill therefore accomplishes a public purpose, which the Government is honor-bound to accomplish, with the minimum use of Federal funds and with minimum outright ultimate grant of funds. The experience of the Home Owners' Loan Corporation and the insurance of home-mortgage loans by the Federal Housing Administration clearly indicates that the Government may not be called upon to write off any losses as outright grants to accomplish this worthy public duty to its veterans.

Merely by deferring the collection of interest and repayments on subsidy loans, the Government aids local public- and private-enterprise agencies in providing reasonable rental homes for veterans. By thus enlisting private enterprise to join in a partnership with the Federal Government in this undertaking, the bill tends to make sure that sound and economical financing and construction will be accomplished. The waste and inefficiency of the Greenbelt adventures in the construction of housing cannot occur when private enterprise takes a stake alongside the Federal Government in financing, building, and operating rental homes for veterans.

#### 3. AUTHORIZED NUMBER OF RENTAL HOMES

The bill would authorize a maximum of 200,000 dwelling units of from 4 to 6 rooms per dwelling unit. At most this would aid in building, when and where the need was established, 1,200,000 rooms, if all dwelling units consisted of 6 rooms, of which 3 would be bedrooms. If each dwelling unit had the minimum of 4 rooms, of which 2 would be bedrooms, 800,000 rooms would be provided. If the

dwelling units averaged 5 rooms each, 1,000,000 rooms would be provided. Such authorized dwelling units would provide reasonable rental homes for 200,000 veterans' families.

#### 4. COMPARATIVE SUBSIDY COSTS FOR VETERAN HOMES

The maximum outlay of subsidy loans by the Veterans' Administration under this bill would be 1,200,000, if each rental home had 6 rooms; 1,000,000 if they averaged 5 rooms each, or 800,000 if they had 4 rooms each. Thus the subsidy loans to provide 200,000 veteran rental home would be between 800,000 and 1,200,000. All of these funds would be secured and repayable with reasonable interest. It is reasonable to hope that all of the subsidy loans would be repaid. No one would suggest that none would be repaid. Few would predict that these rental housing projects would not earn with reasonable rental income a very high percentage of interest and repayment charges, especially when this bill provides that such projects need to carry but half of the interest and repayment charges at one time. This method of deferring one-half of the fixed charges to be earned out of operations is the traditionally successful method of refinancing enterprises which cannot earn currently all of the fixed charges. The use of this method of financing rental homes permits reasonable rental charges instead of rents which impose hardship upon the veteran tenants. The very deferment of the Government's subsidy loans until the primary financing is retired enhances the probability of the full repayment of such loans out of the earnings of the rental projects.

If 200,000 veteran families acquire homes by purchase under the existing subsidy provisions and obtain grants-in-aid of such purchases of an average of only \$2,000 per home purchased, the outright cost to the Government is four hundred million to which grant must be added 1 year's interest at 4 percent, or \$16,000,000. Each veteran may obtain a maximum of \$4,000 grant, plus 1 year's interest, or a total outright grant of \$832,000,000 to enable 200,000 veterans to purchase a home. Such outlays for the purchase of homes by veterans are gifts—not loans. For such aid to veterans, there is no possibility of any repayment to the Government when the guaranty is used. By comparison, this bill offers the maximum assistance for only nominal ultimate outlay of tax funds.

So long as Congress provides only the home-purchase subsidy to veterans and does not provide for rental homes for veterans, many veterans will continue to buy overpriced houses and overextend their income ability to pay off the balance of the mortgage. Thus many veterans who purchase homes at present prices will lose their homes through foreclosure, thus losing the gift which the Government made to them and their own money paid for interest and mortgage repayments. The availability of rental homes for veterans at reasonable rentals will tend to decrease the losses of homes purchased in the present market by veterans.

#### 5. FEATURES WHICH TEND TO REDUCE THE VOLUME OF FEDERAL SUBSIDY LOANS FOR RENTAL HOMES FOR VETERANS

(a) The maximum subsidy loan is \$1,000 per room. When the cost is less than \$2,000 a room, which has previously been and should again be normally the case, the subsidy loan will be less than \$1,000 per room, that is, only one-half of the cost per room, whichever is smaller. As construction costs return to normal levels, this bill reduces the volume of subsidy loans.

(b) The highest interest the primary financing can draw is 4 percent. Three percent money is undoubtedly available for much of the primary financing under this bill.

(c) The paid-in-capital fund of not less than 5 percent of the approved project cost may be increased by public or private enterprise agencies for the purpose of increasing the total dividend earnings, which are limited to 4 percent per annum on paid-in capital. The larger the capital investment, the smaller the subsidy loan will be. Banks, insurance companies, savings banks, cooperative banks, Federal savings and loan and building and loan institutions are finding it increasingly difficult to employ their funds in home mortgage loans at currently inflated prices for homes. These institutions control many billion dollars of unemployed funds available for the primary financing of projects authorized by this bill. Many institutions would be authorized to invest in the capital funds of such incorporated projects even though dividends are limited to 4 percent per annum until the subsidy loan is repaid and satisfied—section 553.

(d) The bill provides that the primary financing must be amortized at the rate of at least 3 percent per annum which would repay the first mortgage at least in 33½ years. Thereafter, the subsidy loan would be amortized on the same basis as the primary obligation was repaid. On that 3 percent per annum basis there may remain unpaid some portion of the subsidy loan for as long as 66½ years. But the bill authorizes the Veterans' Administration to require larger amortization if reasonable rentals will justify more rapid repayment. Private enterprise agencies would favor the most rapid amortization which reasonable rents will justify. This attitude results from the desire to free dividends from the 4 percent per annum limitation as early as possible by retirement of the subsidy loan.

(e) The bill requires that 60 percent of annual net profits—after taxes and annual amortization of the primary obligation—be held in reserves which both protect against contingent losses and provides for additional retirement of the subsidy loans—section 553.

(f) At any time after 10 years, should the emergency need for any rental homes projects for veterans no longer exist (as determined by the Veterans' Administration), the project owner (whether a local public or a private enterprise agency) can pay off the subsidy loan in full provided interest on it is also paid at 2½ percent per annum. This would enable a private enterprise agency to refinance

the project and thus free it completely—after its emergency public purpose has been fulfilled—from rent control, dividend limitation, and supervision and inspection by the Administrator as to its operations and management.

There are reasonable probabilities that the Government will be repaid in full with 2½ percent per annum accrued interest in some projects financed by private enterprise agencies, under this provision.

Each of these provisions emphasize the utilization of the proper private-profit motives of private enterprise in connection with these projects which will tend to insure efficient and economical management of these rental homes projects. The operation of these factors, as has been demonstrated in housing projects financed by private enterprise under FHA housing mortgage insurance, tend to reduce the expense of administration by Government to make sure of efficient operation. The profit motive in management tends to insure efficient operation—section 556.

The bill allows for rent schedules sufficiently high to produce excess income—60 percent of which is to be held in reserve for contingencies and for repayment of the subsidy loan—provided such rents do not impose hardship upon the veteran tenants of the project, having due regard for their actual average incomes—section 556. Both local public and private enterprise agencies will tend to press for higher rent schedules whenever wage and salary levels are increased so as to hasten the day when the project will earn the full repayment of the subsidy loans by the Federal Government and be returned completely to local or private management, ownership, and control.

These features of the bill tend to enhance the security value of the Government's subsidy loans and to reduce the ultimate noncollectible loans.

#### 6. THE PATTERN OF GOVERNMENTAL SUBSIDIES IN AID OF RETURN TO NORMAL PRIVATE ENTERPRISE

This bill presents a pattern of cooperative partnership between the Federal Government and private enterprise, which might well be used in many situations requiring temporary subsidy aid. It is an apt method of aiding recovery while minimizing ultimate drains upon the Public Treasury. In lieu of the Government's entry into private business in emergency periods, it stimulates local public and private enterprise agencies to contribute a maximum amount safely during the emergency and to carry the entire project once the emergency is passed. Foreign rehabilitation lending might well adapt the principles which this bill employs to meet the emergency in decent homes for veterans.

#### 7. ALTERNATIVES FOR VETERAN HOUSING

Three lines of action can be taken:

First. Do nothing more. Leave the pledge to veterans unfulfilled. This is unthinkable.

Second. The Government can enter upon the direct financing, building, managing, and operating of publicly owned

housing for veterans. Great Britain's present self-styled Socialist government proposes this method, when they can publicly finance the projects. This is the Federal public-housing method to which there is still much public opposition even when the people are told there is no other way.

Third. The Government can stimulate local public- and private-enterprise agencies to maximum cooperation by lending its financial aid in such a manner that maximum local and private financing will be undertaken while maximum probability of ultimate—although delayed by agreement—repayment of the Federal Government is assured.

This is the method of this bill. It is closest to the traditional American private-enterprise way of getting things done. When the Government needs to finance for emergency requirements it is not compelled either to abandon local and private ownership and management by entering upon public or Government ownership or to give the money away free gratis. This bill shows that it can subsidize without Government ownership and without outright gift. There is a middle way of sound financing aid with reasonable security of repayment. Even though the detailed provisions may be modified or improved, the basic plan of the bill represents the sound and traditional American approach—the maintenance of local and private initiative.

In conclusion, although the bill provides for the administration and supervision under the Veterans' Bureau, I personally believe the Veterans' Administrator should designate the capably experienced staff of the National Housing Agency to perform this most important function. As speed is essential to providing these rental units, this suggested change may be very desirable. I feel sure the author of this bill will not object to any technical changes provided such changes are for the benefit of veterans securing rentals as quickly as possible.

Mrs. ROGERS of Massachusetts. I am delighted that the gentleman has introduced the bill. I am sure the other members of the committee agree with me the bill will be reported out.

Mr. TWYMAN. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. TWYMAN. I think the RECORD at this point should show the interest taken by the Members of the Congress in the subject of veterans' legislation. I think it is a high tribute to the gentleman from Massachusetts, chairman of the Committee on Veterans' Affairs, and unless it is mentioned here and put into the RECORD I do not believe the readers of the CONGRESSIONAL RECORD will realize how well this meeting has been attended. Of course, the CONGRESSIONAL RECORD will show that this has been something of a forum. However, it is long past the dinner hour, and we still have Members of Congress here from practically every State in the Union. I think it is a tribute to the gentleman from Massachusetts, and the RECORD should indicate the wide interest that is being shown and what she is doing. I wish to congratulate her.

Mrs. ROGERS of Massachusetts. The gentleman is very kind, but in reality it is just the interest that the Members of the House have in the veterans. They have long wanted to have a chance to express themselves, but they have been given no opportunity to do so. I know they appreciate very much the fact that the Members have given up engagements in order to stay and take part in this forum.

Mr. TWYMAN. Does not the gentleman recall many times that when a Member has been granted a special order he has stood in the well of the House practically alone, but here you have been addressing the House for 3 hours and you have had a splendid attendance.

Mrs. ROGERS of Massachusetts. A large part of the 3 hours has been consumed. There is a fine audience and many Members have participated in the debate.

Mr. MURRAY of Wisconsin. I did not expect to enter into this discussion. I have enjoyed the debate and the comments. However, I would like to say to the distinguished gentleman from Massachusetts [Mrs. ROGERS] that we should, in fairness, keep the record straight. I can only speak of one particular case. When the gentleman from Iowa [Mr. CUNNINGHAM] introduced his bill I gave one to the distinguished Speaker, the gentleman from Massachusetts [Mr. MARTIN], one day in the cloakroom, and I asked him to read it over and to advise what he thought of it. Within a few days I saw him again and he said he thought it was a very desirable piece of legislation. Although that same bill has been around here 2 or 3 years, the gentleman from Massachusetts [Mr. MARTIN], happens to be the only man who has given it the green light, and I think that should appear in the RECORD. I sincerely hope that the distinguished lady and her committee will pass the bill, because 5,000,000 people left the rural areas during the war. There are thousands of vacant houses in the country today, but they are in the wrong places. They are on the farms. I am sure we can relieve some of the housing shortage in the cities if the Cunningham bill is passed, because many of them can be provided with a place where they can get fresh air and live out in the country.

Mrs. ROGERS of Massachusetts. And also people will leave industry and go to the farms and that will make jobs for others in industry. Is that correct?

Mr. MURRAY of Wisconsin. I presume that would be the result. But in fairness I do want to say—and I have no reason to be speaking for the leadership any more than anyone—but during the first terms here legislation appears to be very slow in accomplishment. But the longer one is here the more one sees how necessary it is to grind these things out and grind them fine. I trust the distinguished lady from Massachusetts will try to solve this problem. There are many angles connected with it. We will have an opportunity to vote on it tomorrow. We are going to have a



chance to vote \$20,000,000 on the Bankhead-Jones Act. Twenty million dollars will not buy a farm per county in the whole United States. We are subsidizing housing now to the tune of \$1,000,000,000 in low-income groups under legislation that was passed several years ago. The total subsidy is over \$1,000,000,000. There is no reason I can see, from the record of the past, why we should not make it possible for one of these young men who wanted to secure a place in the country, to make his living that way, to have it. Why do I say that? Because \$20,000,000 is not one farm per county. I have 22 veterans in Langlade County, and I have their names and addresses, who want to acquire farms. You say, "Well, they should not buy them. The price is too high." And a hundred other reasons. But they are not going to buy them if the price is too high. Those people in the country know their business.

Now, that has been the history of all loans that have been made to farmers. During the depression years \$400,000,000 was loaned under the Regional Agricultural Credit Corporation. The last time I checked there was about a million dollars left to collect. The rural people and the veteran rural youth will repay this Government every cent.

These boys who want to acquire a little piece of America are entitled to it, and they have not been obtaining it. The testimony before your committee yesterday showed that loans have been made to business, and to others, but so far as rural veterans are concerned a comparatively small number of farms had been acquired under the GI bill of rights.

Mrs. ROGERS of Massachusetts. The gentleman has made a tireless fight for loans for farms.

Mr. MURRAY of Wisconsin. I do not want to interpose my own personal opinion in the situation. I know they are entitled to the consideration that the rest of the people of this country have been obtaining. The veteran today, who has seen people for years around him get a farm under these conditions, cannot figure out why it is, now that the war is over, there is not any money with which he can get a farm. He feels that perhaps he ought to have a little piece of America as well as the people who have been obtaining it for years under the same conditions.

Mr. JONES of North Carolina. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. JONES of North Carolina. As far as I am concerned, as a member of the Veterans' Affairs Committee, I am in favor of the Cunningham bill. I was very much impressed by the argument which the gentleman from Wisconsin [Mr. MURRAY] has made for it. I think it is a very fine bill and I hope we will approve it and I hope Congress will pass it.

Mr. MURRAY of Wisconsin. I thank the gentleman and I say to my distinguished friend from Massachusetts that I have no personal objection to putting this under the Bankhead-Jones Act. However there are legislative problems involved. I wish our colleague the Hon-

orable Brooks Hays, who formerly worked for the Farm Home Administration was not in Europe, I wish he were here today, because he has worked on this and he understands it from A to Z and I am sure he could give us much support.

Mrs. ROGERS of Massachusetts. May I suggest to the gentleman that he ask unanimous consent that his statement made before the Veterans' Committee be inserted in the Record?

Mr. MURRAY of Wisconsin. I would be glad to do that but I do not have the statement.

Mrs. ROGERS of Massachusetts. We can take it from the records of the Veterans' Affairs Committee.

Mr. Speaker, I ask unanimous consent that that be done.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mrs. ROGERS of Massachusetts. I may say to the gentleman that I am very sure the committee will report out some legislation very similar to what he is asking for. As he knows we were considering that bill and a bill introduced by the gentleman from New York [Mr. KEARNEY], but the gentleman from New York agreed that most of the provisions of his bill were taken care of last year, and are already in the law and are operating very successfully in the GI bill of rights.

Mr. MURRAY of Wisconsin. What discourages me is that sufficient funds cannot be secured for these farm loans. How in the world can we expect to go out and make any impression so far as securing farms for World War veterans with funds that will not provide one farm per county?

Mr. MEADE of Kentucky. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. WHEELER. I want to emphasize a statement I made in the presence of the gentleman from Wisconsin yesterday, that in my city if a veteran wants to buy a home within the city limits he can get financial assistance under the GI bill, and from private lending agencies. I know many, many cases where veterans have been able to finance homes within the city limits, but just let him apply for a loan on a home a hundred yards past the city limits and he is flatly refused. I deplore that situation. I think the Cunningham bill goes a long ways toward correcting it.

Mr. MATHEWS. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. MATHEWS. In view of certain questions which have been asked the gentleman from Massachusetts, I would like to get the Record straight.

They were asked of the chairman of the Veterans' Affairs Committee, who in her entire conduct of that committee has been absolutely nonpartisan. The members of her committee have been absolutely nonpartisan. We regret that a partisan note should at any time be injected into the consideration of veterans' legislation. I did not very much relish the questions that were put to the gen-

tlewoman under those circumstances. I think, therefore, without any tinge of partisanship, these facts should be gotten on the Record: Two of the bills already reported out by the Veterans' Affairs Committee and one bill reported out by another committee, which has passed this House—all three were designed to remedy conditions which were brought about by actions of the last Congress, which was not under the control of party that now has a majority. First of all, the amputee bill, which has been spoken of here, the bill which I introduced and which has been reported out by the committee, was designed to remedy discriminations and discrepancies which were created by the legislation passed last year.

Secondly, the Kearney bill to raise the ceilings on allowances on on-the-job training is only here and was only reported out because of what took place last year in the Seventy-ninth Congress and to correct a condition which was brought about then.

Lastly, the terminal leave pay bill, which was passed by this House, was brought about solely because last year when the bill was before this Congress the President of the United States made it perfectly plain that he would veto the bill unless it carried solely a bond provision. Even the members of his own party who were in favor of that bill and wanted not only the bill itself but wanted cash payments were forced, along with the rest of us, to vote for the bill as it was, with only bonds, or it would have been vetoed. And do not forget that the President said some time ago that the veterans' program had been completed. I simply want to get the record straight so that when those questions are asked those things might be remembered.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I assume that the gentleman from New Jersey [Mr. MATHEWS] is speaking of the remarks I made a few minutes ago about the Republican leadership's not allowing this legislation to come to the floor. I reassert those remarks.

Mr. MATHEWS. I spoke of the questions involved and I want to pay my respects to the gentleman from Mississippi as a distinguished veteran who has made an incalculable sacrifice for his country.

Mr. WILLIAMS. You have a majority which can pass any piece of legislation it wants to bring out. At least it can bring that legislation to the floor. Now, I certainly have nothing to gain by bringing partisanship into anything because, thank God, there are nothing but Democrats in the State of Mississippi.

Mr. MATHEWS. Not on the record. You have not anything to gain by bringing it in on the record.

Mr. WILLIAMS. The reason I mentioned partisanship is because the Congress is nearing the end of its term and none of the bills have yet come to the floor of the House, and in an attempt to build a fire under whoever is holding this legislation up, I injected the little partisan issue into this thing. Frankly, I hope it may do some good. I think we

are all working toward the same end—trying to convince the majority leadership that it should let this legislation come to the floor, and regardless of where in the long run the blame will fall, I hope it will do some good, whether it means building a fire under my party or building a fire under your party. I hope that this legislation will be brought to the floor so that the blame for pigeonholing it will not have to fall on anybody.

Mrs. ROGERS of Massachusetts. I do not like to inject politics, but day after day for a number of years I have worked to secure passage of certain legislation. It almost always came up for passage just as Congress was about to adjourn. That is true of the GI bill of rights. I think we are all together in trying to get the legislation passed. That is why I am taking this time, because I agree with the gentleman and I think the gentleman from New Jersey agrees with us. We are all in accord. I will remind the gentleman that President Truman stated that legislation was not needed this year.

Mr. WILLIAMS. I am sorry that the gentleman finds it necessary to have to do things like this in order to get her legislation, which has been passed by her committee, out to the floor.

Mrs. ROGERS of Massachusetts. We do it for the veterans. It is our job. It is our committee work.

Mr. MATHEWS. I am glad the gentleman from Mississippi admitted it was a partisan note. I do not think either of our great parties has or claims a monopoly of interest in the veteran. And I want the gentleman to remember that the session is not over.

Mrs. ROGERS of Massachusetts. That is why we are having the meeting tonight.

Mr. WILLIAMS. If the bills reach the floor at this session I will be glad to eat my words. At least I will feel that our objective has been attained, and the veteran has received a fair deal.

Mr. MEADE of Kentucky. I desire to support the statement of the gentleman from Wisconsin [Mr. MURRAY] in regard to the Cunningham bill for the reason it is shown by the records in the Veterans' Administration that the farm veteran has not had adequate aid in the purchase of a farm home. The records of the Veterans' Administration show that whereas there have been guaranteed loans for the purchase of city property to the extent of seven-hundred-and-ninety-thousand-odd, at the same time only 32,000 farm loans have been approved. The Cunningham bill would relieve that situation. I am heartily in favor of the Cunningham bill.

Mrs. ROGERS of Massachusetts. I think the entire committee is in favor of the Cunningham bill with some modification perhaps, also the Donohue bill for rentals.

I would like to take this opportunity to thank the personnel of the House for staying this evening. They have stayed without anything to eat these long hours. They have stayed just as they did during the war, realizing that the veterans come first in peace as they did in war. They have been very fine about it, as have the Members.

Mr. RAMEY. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. RAMEY. I am grateful for having had the opportunity to serve as chairman of the Subcommittee on Education, Training, and Rehabilitation of the Committee on Veterans' Affairs of the House of Representatives.

The numerous hearings which have been had are well known. While hearings were had almost daily, the toil of the committee was in the hundreds and hundreds of interviews. Those interviews, as well as hearings, were had on H. R. 161, H. R. 870, H. R. 1617, and H. R. 2176, bills to increase subsistence allowance rates for education or training under the Servicemen's Readjustment Act, reported out under H. R. 246.

Testimony and hearings were had on H. R. 2170, H. R. 2181, and H. R. 2317, reported out under H. R. 2181; and H. R. 2409, which was reported out under H. R. 3308.

Every college in the United States of America was notified—by notified, I mean the student body as well as the faculty and president—and all given the opportunity to testify. Hundreds of students either wrote or testified, and student bodies of almost every college took polls of their students and sent in their reports. One member of the committee, Mr. MEADE of Kentucky, went to each college in his State and interviewed the five top ranking students as well as the five lowest ranking, and met with faculties and held convocations of all veterans in the schools. One bit of information was found which should indeed be made public, and that is that the veteran was a better student than the nonveteran, the married veteran was a better student than the unmarried veteran, and the married veteran who had children was still better.

Each veteran attending college is there with a purpose. They are not there just to attend school. There have been statements made that veterans were misusing the allowances which our gracious Government has made through its Congress to allow each and every veteran to secure an education. The implication has been that some veterans were attending school merely to have a good time at Government expense. That was totally disproved.

Several deans who testified stated that they had loan funds offered to veterans without interest but very few wanted to borrow. One dean from a college in New York stated that they had \$200,000 in a loan fund and that less than \$2,000 had been loaned even though they had encouraged veterans to make loans.

True, some letters were received which were emotional, but less than 1 percent were so. The conclusion of the committee was that subsistence allowances should be increased. The conclusion was a well-balanced and unbiased one made after ascertaining the exact facts. On the other hand, veterans of World War I directed the attention of the committee to the fact that the Congress in their time had failed to recognize the veteran as has been done by the Seventy-eighth, Seventy-ninth, and Eightieth

Congresses. Attention of the committee was directed to the fact that \$9,000,000,000 is being spent now to assist veterans, which is more than the entire cost of Government in 1933. But the committee concluded that nothing is too good for the veteran.

One singular fact is that the self-helped colleges which have always allowed poor boys and girls of the country to work their way, made no requests of the committee even though they were asked to be present or mail in their requests. I refer to such colleges as Berea College, Berea, Ky.; Lincoln Memorial University at Cumberland Gap, Tenn., and Park College, Parkville, Mo. Some colleges wherein only the wealthy children could attend, made requests that the subsistence allowances be increased.

The question is this: Are we going to carry out the intent of the original veterans' legislation and provide adequate allowances or will we be led astray by selfish groups and political pressures? We should not delay the veterans' needs. They have taken us at our word in the past. They have been forced by their veteran experiences to face the facts of life. They are not interested in excuses. Our young men and women are the greatest resource of our Nation today. Their lives and fortunes are the guideposts to the future of this country. They are the best investment in the world. If we cannot pass these veterans' measures out with gratitude, let's at least pass them out of consideration for the magnificent return which an investment in these young lives will bring to this Nation's future.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the following bills have been enacted into law:

H. R. 1353, which was passed by both Houses of Congress, and was approved on February 21, 1947, is now Public Law No. 5. This law repealed the time limit for reinstatement of national service life insurance and permitted World War II veterans to reinstate their insurance without the necessity of a physical examination.

H. R. 1327, passed by both Houses and approved on April 15, 1947, is now Public Law No. 34. This law provides for a renewal for a fifth 5-year period of Government life insurance under the 5-year level-premium-term plan for World War I veterans. Had this law not been enacted, approximately 30,000 World War I veterans would have been obliged to drop their Government insurance.

H. R. 1844, passed by both Houses and approved on May 21, 1947, is now Public Law No. 83. This law permits the Administrator of Veterans' Affairs to grant easements of lands belonging to the United States which are under his supervision and control. It will obviate the necessity of introducing a special bill every time such an easement is required.

House Joint Resolution 196, passed by both Houses—in the Senate as Senate Joint Resolution 115—was approved on June 14, 1947, and is now Public Law No. 91. This authorizes the Administrator of Veterans' Affairs to continue the offices of his department in the Republic of the Philippines. Under existing laws, the right to so function would have ceased



at the end of the fiscal year of 1946-47. The new law extends operations for 1 year.

H. R. 3060, passed by both Houses—S. 1135 passed in the Senate—was approved on June 14, 1947, and is now Public Law No. 94. This law extends for 1 year the authority now given to the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years.

H. R. 2368, passed by both Houses, was approved on June 26, 1947, and is now Public Law No. 115. This law increases the appropriation for revolving fund from \$1,500,000 to \$3,000,000 for the purpose of making loans by the Veterans' Administration—not to exceed \$100—to service-connected disabled veterans of World War II who are undertaking vocational training. The fund of \$1,500,000 was insufficient for the prevailing load, and many disabled veterans were unable to borrow from the fund.

The Committee on Veterans' Affairs have reported the following bills to the House:

H. R. 246 was reported from committee, unanimously, on February 26, 1947, under Report No. 77. The Committee on Rules has been requested to grant a special rule for its consideration and a hearing upon that request was held on May 22. No decision has been reached to date. A discharge petition is upon the Speaker's desk, but sufficient names have not been obtained. This bill would increase the ceiling of wages for those veterans undergoing on-the-job training, as follows: Veterans without dependents, \$250 per month; veterans with one dependent, \$325 per month; veterans with two or more dependents, \$350 per month.

H. R. 3888 was reported from committee on June 20, 1947, under Report No. 620. This measure applies distinctly to those veterans attending school under the Servicemen's Readjustment act, and increases the subsistence allowances as follows: Veteran without dependents, \$65 per month—same as at present—veteran with one dependent, \$105 per month, plus \$20 for the first child and \$15 additional for each additional child.

House Concurrent Resolution 54 was reported from committee on July 2, Report No. 714, and is now upon the Consent Calendar of the House. This resolution provides for the use of Schick General Hospital at Clinton, Iowa, by the Veterans' Administration. This hospital has been abandoned by the War Department, and its use is recommended as a domiciliary home for veterans of that area. Rules Committee reported a rule for consideration on July 3, 1947.

H. R. 3308 was reported from committee on May 21, 1947, Report No. 396, and has been on the Consent Calendar since that time, having been passed over without prejudice three times. It would increase the minimum subsistence allowance payable to service-connected disabled veterans who are attending school.

H. R. 3961 was reported from Committee on Veterans' Affairs on June 25, 1947, Report No. 690, and passed the House unanimously on June 30; in the Senate, this bill has been reported favorably and is now upon the calendar awaiting consideration. It provides for a 20-

percent increase in the pensions now received by Spanish-American War veterans and their dependents, as well as Civil War veterans and their dependents.

H. R. 2181 was reported from committee on April 30, 1947, under report No. 327. It passed the House on May 12. This bill provides for veterans who are receiving institutional or farm training.

H. R. 4007 was reported from committee on June 2, 1947, under report No. 780. This bill supersedes H. R. 3583, which is for a similar purpose. It provides for automobiles for service-connected disabled veterans who sustained the loss, or loss of use of a foot or a hand, or who are blind. The Rules Committee was requested to permit a special rule but has taken no action upon a hearing held upon this request.

H. R. 3889 was reported from committee on July 8, 1947, under report No. 808, and is now upon the Consent Calendar. This measure would establish a presumption of service-connection for chronic and tropical diseases. It would fill a need caused by extensive service by veterans of World War II in tropical countries.

H. R. 4055 was reported from committee on July 11, 1947, and is now upon the Consent Calendar of the House. This bill would grant to veterans of the Indian wars and to their dependents the same increase in pension—20 percent—that was given to Civil War and Spanish-American War veterans by H. R. 3961, which was passed by the House unanimously.

H. R. 3623 was reported from committee on July 2, 1947, and is now upon the Consent Calendar of the House. It provides that members of the Communist Party shall be ineligible for veterans' benefits and exacts penalties for infraction of the law.

Other bills will be ready for action within a day or so, including a bill for paraplegic and other cases by the gentleman from Illinois [Mr. VAIL], a bill by the gentleman from New Jersey, Judge MATHEWS, for the benefit of widows, and a bill for tubercular patients by the gentleman from Pennsylvania, Captain SARBACHER.

#### EXTENSION OF REMARKS

Mr. KNUTSON asked and was given permission to extend his remarks in the Record and include a telegram.

Mr. GWINN of New York (at the request of Mr. BAKEWELL) was given permission to extend his remarks in the Appendix of the Record.

Mr. TEAGUE (at the request of Mrs. ROGERS of Massachusetts) was given permission to extend his remarks in the Record.

Mr. TWYMAN asked and was given permission to extend his remarks in the Record and include an editorial.

Mr. JUDD (at the request of Mr. TALLE) was given permission to extend his remarks in the Record in two instances, and to include in each an editorial.

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include a series of articles appearing in Kiplinger magazine, July 1947, entitled "Changing

Times in the South." I am informed by the Public Printer that this will exceed two pages of the Record and will cost \$337.25, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore (Mr. POULSON). Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

#### SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 84. An act for the relief of Mrs. Clinton R. Sharp; to the Committee on the Judiciary.

S. 99. An act for the relief of John T. Holandsworth, Jr.; to the Committee on the Judiciary.

S. 167. An act for the relief of Mrs. Yoneko Nakazawa; to the Committee on the Judiciary.

S. 185. An act for the relief of Thomas Abadia; to the Committee on the Judiciary.

S. 191. An act for the relief of Julian Uriarte; to the Committee on the Judiciary.

S. 316. An act for the relief of Mary Sungduk Charr; to the Committee on the Judiciary.

S. 339. An act for the relief of Lucy Jefferson Well; to the Committee on the Judiciary.

S. 418. An act to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes; to the Committee on Public Works.

S. 457. An act for the relief of Anna Kong Mei; to the Committee on the Judiciary.

S. 474. An act for the relief of Samuel E. Belk; to the Committee on Armed Services.

S. 703. An act to authorize the carrying of Civil War battle streamers with regimental colors; to the Committee on Armed Services.

S. 794. An act to authorize the sale of a small tract of land on the Cherokee Indian Reservation, N. C.; to the Committee on Public Lands.

S. 929. An act to amend section 2 of the act prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes, approved March 3, 1893 (22 Stat. 564); to the Committee on Armed Services.

S. 1132. An act to amend section 40 of the Shipping Act, 1916 (39 Stat. 728), as amended; to the Committee on Merchant Marine and Fisheries.

S. 1487. An act to remove restrictions upon loans by Federal agencies to finance the construction of certain public works; to the Committee on Public Works.

S. 1512. An act to improve accounting within the Federal Security Agency, to authorize intra-agency transfers and consolidations of appropriations by the Federal Security Administrator, and for other purposes; to the Committee on Expenditures in the Executive Departments.

S. 1576. An act to amend section 3121 of the Internal Revenue Code; to the Committee on Ways and Means.

S. 1579. An act for the relief of Damian Gandiaga; to the Committee on the Judiciary.

S. J. Res. 70. Joint resolution authorizing the President to issue posthumously to the late Col. William Mitchell a commission as a major general, United States Army, and for other purposes; to the Committee on Armed Services.

S. J. Res. 84. Joint resolution to provide for the restoration and preservation of the Francis Scott Key Mansion, to establish the Francis Scott Key National Memorial, and for other purposes; to the Committee on Public Lands.

S. J. Res. 94. Joint resolution to establish the Fort Sumter National Monument in the

State of South Carolina; to the Committee on Public Lands.

S. J. Res. 130. Joint resolution relating to safety in bituminous-coal and lignite mines of the United States; to the Committee on Education and Labor.

S. J. Res. 134. Joint resolution providing for the proper observance of the one hundred and sixtieth anniversary of the signing of the Constitution of the United States of America; to the Committee on the Judiciary.

S. J. Res. 148. Joint resolution to authorize the temporary continuation of regulation of consumer credit; to the Committee on Banking and Currency.

#### ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 379. An act for the relief of Kuo Yu Cheng;

H. R. 436. An act for the relief of Roger Edgar Lapierre;

H. R. 553. An act for the relief of Arsenio Acacio Lewis;

H. R. 555. An act for the relief of Edna Rita Saffron Fidone;

H. R. 568. An act for the relief of Choc-tawhatchee Electric Cooperative, Inc.;

H. R. 649. An act for the relief of Antonio Belaustengui;

H. R. 710. An act for the relief of Fritz Hallquist;

H. R. 1015. An act for the relief of Fred Pittelli;

H. R. 1162. An act for the relief of Persis M. Nichols;

H. R. 1176. An act for the relief of Mrs. Elizabeth Kempton Bailey;

H. R. 1393. An act for the relief of Donna L. I. Carlisle;

H. R. 1493. An act for the relief of Anna Malama Mark;

H. R. 1502. An act for the relief of Herman Trahn;

H. R. 1888. An act to incorporate the AMVETS, American Veterans of World War II;

H. R. 2167. An act to authorize the inclusion within the Angostura unit of the Missouri Basin project of certain lands owned by the United States;

H. R. 2306. An act for the relief of Myrtle Ruth Osborne, Marion Walts, and Jessie A. Walts;

H. R. 2314. An act to amend section 12 of the Naval Aviation Cadet Act of 1942, as amended, and to amend section 2 of the act of June 16, 1936, as amended, so as to authorize lump-sum payments under the said acts to the survivors of deceased officers without administration of estates;

H. R. 2573. An act to authorize the Director of the United States Geological Survey to produce and sell copies of aerial or other photographs and mosaics, and photographic or photostatic reproductions of records, on a reimbursement of appropriations basis;

H. R. 3053. An act to authorize the Secretary of the Navy to convey to the Territory of Hawaii an easement for public highway and utility purposes in certain parcels of land in the district of Ewa, T. H.;

H. R. 3056. An act to authorize the Secretary of the Navy to convey to the city of Macon, Ga., and Bibb County, Ga., an easement for public road and utility purposes in certain Government-owned lands situated in Bibb County, Ga., and for other purposes;

H. R. 3149. An act to amend the act approved December 28, 1945 (Public Law 271, 79th Cong.), entitled "An act to expedite the admission to the United States of alien spouses and alien minor children of citizen members of the United States armed forces";

H. R. 3170. An act for the relief of R. W. Wood;

H. R. 3247. An act to provide basic authority for the performance of certain functions and activities of the Coast and Geodetic Survey, and for other purposes;

H. R. 3252. An act to authorize the Secretary of the Navy to convey to the city of Long Beach, Calif., for street purposes, an easement in certain lands within the Navy housing project at Long Beach, Calif.;

H. R. 3539. An act to authorize the construction of a chapel at the Coast Guard Academy, and to authorize the acceptance of private contributions to assist in defraying the cost of construction thereof;

H. R. 3744. An act to authorize the construction of a railroad siding in the vicinity of Franklin Street NE, District of Columbia;

H. R. 3958. An act to extend temporarily the time for filing applications for patents and for taking action in the United States Patent Office with respect thereto; and

H. R. 4011. An act to amend section 1602 of the Federal Unemployment Tax Act.

#### JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on July 16, 1947, present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 240. Joint resolution making temporary appropriations for the fiscal year 1948.

#### ADJOURNMENT

Mr. BAKEWELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 56 minutes p. m.) the House, under its previous order, adjourned until tomorrow, Friday, July 18, 1947, at 10 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

946. A letter from the Chairman, National Mediation Board, transmitting quarterly estimate of personnel requirements for the National Mediation Board, including the National Railroad Adjustment Board, for the quarter beginning October 1, 1947; to the Committee on Post Office and Civil Service.

947. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing fund of the United States Maritime Commission (H. Doc. No. 405); to the Committee on Appropriations and ordered to be printed.

948. A communication from the President of the United States, transmitting five supplemental estimates of appropriation in the total amount of \$250,000,000 proposed for the fiscal year 1948 for the Department of Agriculture, the Department of the Interior, and the War Department (H. Doc. No. 406); to the Committee on Appropriations and ordered to be printed.

949. A letter from the Secretary of State, transmitting a draft of a proposed bill to authorize the Secretary of State to perform certain consular-type functions within the United States, its Territories and possessions; to the Committee on Foreign Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. KNUTSON: Committee on Ways and Means. House Joint Resolution 238. Joint resolution to amend paragraph 1772 of the Tariff Act of 1930; without amendment (Rept. No. 968). Referred to the Committee of the Whole House on the State of the Union.

Mr. KEAN: Committee on Ways and Means. H. R. 3613. A bill to amend sections 1802 (a), 1802 (b), and 3481 (a) of the Internal Revenue Code; with an amendment (Rept. No. 969). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROWN of Ohio: Committee on Rules. House Resolution 305. Resolution providing for the consideration of H. R. 3999, a bill to authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders; without amendment (Rept. No. 970). Referred to the House Calendar.

Mr. TOWE: Committee on Armed Services. H. R. 3227. A bill to provide for inactive duty training pay for the Organized Reserve Corps, to provide uniform standards for inactive duty training pay for all Reserve components of the armed forces, and for other purposes; without amendment (Rept. No. 971). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURKE: Committee on Merchant Marine and Fisheries. H. R. 4018. A bill authorizing the transfer of certain real property for wildlife or other purposes; with amendments (Rept. No. 972). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEONARD W. HALL: Committee on Interstate and Foreign Commerce. H. R. 4043. A bill to change the order of priority for payment out of the German special deposit account, and for other purposes; with an amendment (Rept. No. 973). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. H. R. 4068. A bill to authorize the Federal Works Administrator to construct a building for the General Accounting Office on square 518 in the District of Columbia, and for other purposes; with an amendment (Rept. No. 974). Referred to the Committee of the Whole House on the State of the Union.

Mr. HINSHAW: Committee on Interstate and Foreign Commerce. H. R. 4044. A bill to amend the Trading With the Enemy Act, as amended; to create a commission to make an inquiry and report with respect to war claims; and to provide for relief for internees in certain cases; with an amendment (Rept. No. 976). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWE: Committee on Armed Services. H. R. 4143. A bill to provide for the effective operation and expansion of the Reserve Officers' Training Corps, and for other purposes; without amendment (Rept. No. 977). Referred to the Committee of the Whole House on the State of the Union.

Mr. WEICHEL: Committee on Merchant Marine and Fisheries. H. R. 4229. A bill to provide that the Canadian-built dredge *Ajax* and certain other dredging equipment owned by a United States corporation be documented under the laws of the United States; without amendment (Rept. No. 978). Referred to the Committee of the Whole House on the State of the Union.

Mr. JUDD: Committee on Foreign Affairs. House Joint Resolution 161. Joint resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor; with amendments (Rept. No. 979). Referred to the Committee of the Whole House on the State of the Union.



Mr. BURKE: Committee on Merchant Marine and Fisheries. S. 616. An act to authorize the creation of a game refuge in the Francis Marion National Forest in the State of South Carolina; without amendment (Rept. No. 980). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ST. GEORGE: Committee on Post Office and Civil Service. S. 1180. An act to authorize the issuance of a special series of commemorative stamps in honor of Gold Star Mothers; without amendment (Rept. No. 985). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOLLIVER: Committee on Interstate and Foreign Commerce. S. 682. An act to regulate the interstate transportation of black bass and other game fish, and for other purposes; with an amendment (Rept. No. 986). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'HARA: Committee on Interstate and Foreign Commerce. H. R. 4169. A bill to amend section 401 of the Civil Aeronautics Act of 1938, so as to permit the granting of authority for temporary emergency service of air carriers; with amendments (Rept. No. 987). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOWELL: Committee on Interstate and Foreign Commerce. H. R. 3510. A bill to authorize the construction, protection, operation, and maintenance of a public airport in the Territory of Alaska; without amendment (Rept. No. 988). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOWELL: Committee on Interstate and Foreign Commerce. H. R. 3509. A bill to authorize the construction of a class IV airport for the city of Fairbanks, Alaska, and a public highway or bridge from the city of Fairbanks to the location of the airport; with an amendment (Rept. No. 989). Referred to the Committee of the Whole House on the State of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REEVES: Committee on the Judiciary. H. R. 625. A bill for the relief of (1) William R. Dohnt, administrator of all and singular, the goods, chattels, and credits which were of Margaret E. Dohnt, deceased; (2) Joseph A. Hauser, individually and as guardian of Florence Hauser, an infant of the age of 19 years; (3) Richard Adams, Sr., individually and as guardian of Richard Adams, Jr., an infant of the age of 16 years; (4) William P. Novotny, Sr., individually and as guardian of William Joseph Novotny, Jr., an infant of the age of 18 years; (5) William P. Novotny, Sr., individually and as guardian of Bernadette Novotny, an infant of the age of 20 years; (6) Grace Swiadek, individually and as guardian of Stanley Swiadek, an infant of the age of 18 years; and (7) Joseph F. Krotz, Sr., individually and as guardian of Joseph F. Krotz, Jr., an infant of the age of 18 years; with amendments (Rept. No. 962). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 1131. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim or claims of Charles L. Baker; with an amendment (Rept. No. 963). Referred to the Committee on the Whole House.

Mr. SPRINGER: Committee on the Judiciary. H. R. 1155. A bill for the relief of the estate of W. H. Rodgers, deceased; with an amendment (Rept. No. 964). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 1645. A bill for the relief of Mrs. Leona McMinn Winkler; with an amendment (Rept. No. 965). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 2891. A bill for the relief of Mattie A. Horner; with an amendment (Rept. No. 966). Referred to the Committee of the Whole House.

Mr. SPRINGER: Committee on the Judiciary. H. R. 3754. A bill for the relief of Oscar and Anna Carlblom; without amendment (Rept. No. 967). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. S. 706. An act for the relief of William D. McCormick; with an amendment (Rept. No. 981). Referred to the Committee of the Whole House.

Mr. GOSSETT: Committee on the Judiciary. H. R. 648. A bill for the relief of Mrs. Elfrieda Sakowsky Passant, alias Elfrieda Sakowsky, alias Elfrieda Pogue; without amendment (Rept. No. 982). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. H. R. 1916. A bill for the relief of Filiberto A. Bonaventura; without amendment (Rept. No. 983). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. H. R. 3243. A bill for the relief of Roman Toporow; without amendment (Rept. No. 984). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Armed Services was discharged from the consideration of the bill (H. R. 4042) to control the export to foreign countries of gasoline and petroleum products from the United States, and the same was referred to the Committee on Merchant Marine and Fisheries.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of New York: H. R. 4247. A bill to authorize the attendance of the Marine Band at the national convention of the American Legion to be held in New York, N. Y., August 28 to 31, 1947; to the Committee on Armed Services.

By Mr. BRYSON: H. R. 4248. A bill to increase the normal tax and surtax exemptions of a single person to \$1,000 and of a married person to \$2,000; to the Committee on Ways and Means.

H. R. 4249. A bill amending the Reconstruction Finance Corporation Act in order to authorize the purchase by the Reconstruction Finance Corporation of loans which are guaranteed or insured under the Servicemen's Readjustment Act of 1944; to the Committee on Banking and Currency.

By Mr. JENKINS of Ohio: H. R. 4250. A bill to provide for the extension and application of the provisions of the Classification Act of 1923, as amended, to certain officers and employees of the Immigration and Naturalization Service in the Department of Justice; to the Committee on Post Office and Civil Service.

By Mr. KENNEDY: H. R. 4251. A bill to exempt certain contracts from the applicability of the cost limitation fixed by the United States Housing Act of 1937, as amended; to the Committee on Banking and Currency.

By Mr. KLEIN: H. R. 4252. A bill to authorize the use of the Army chapel on Governors Island, N. Y., and the land on which such chapel is sit-

uated, by the Mission of Our Lady of the Rosary for church services for certain military personnel; to the Committee on Armed Services.

By Mr. ANDREWS of New York: H. R. 4253. A bill to provide for the construction, rehabilitation, conversion, and maintenance of buildings, structures, utilities, and other facilities, including the acquisition of land, for the National Guard, Organized Reserve Corps, other Reserve components of the Army of the United States, and for other purposes; to the Committee on Armed Services.

By Mr. BRAMBLETT: H. R. 4254. A bill providing for the disposition of farm-labor camps to public or semipublic agencies or nonprofit associations of farmers; to the Committee on Agriculture.

By Mr. HARTLEY: H. R. 4255. A bill to establish a United States Commission for the Promotion of Physical Fitness and making an appropriation for such Commission; to the Committee on Education and Labor.

By Mr. LEONARD W. HALL: H. R. 4256. A bill to allow a deduction, for income-tax purposes, of premiums paid on national service life insurance and United States Government life insurance; to the Committee on Ways and Means.

By Mr. KNUTSON: H. R. 4257. A bill to provide an extension of time for claiming credit or refund with respect to war losses; to the Committee on Ways and Means.

By Mr. MARCANTONIO: H. R. 4258. A bill to amend the Railroad Retirement Acts and subchapter 9 of the Internal Revenue Code, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of New York: H. R. 4259. A bill to amend sections 3404 (d), 3406 (a) (4), and 3443 (a) (3) (A) (1) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. LANDIS: H. J. Res. 244. Joint resolution establishing a code for health and safety in bituminous coal and lignite mines of the United States the products of which regularly enter commerce or the operations of which substantially affect commerce; to the Committee on Education and Labor.

By Mr. MUHLBERG: H. Con. Res. 75. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. BENDER: H. Con. Res. 76. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. BOGGS of Delaware: H. Con. Res. 77. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. BROPHY: H. Con. Res. 78. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. COFFIN: H. Con. Res. 79. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. CROW: H. Con. Res. 80. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. FULTON: H. Con. Res. 81. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. EDWIN ARTHUR HALL: H. Con. Res. 82. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. FOOTE: H. Con. Res. 83. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

## SENATE

FRIDAY, JULY 18, 1947

*(Legislative day of Wednesday, July 16, 1947)*

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Clarence Cranford, D. D., minister, Calvary Baptist Church, Washington, D. C., offered the following prayer:

Lord, in the face of the problems that beset our Nation and our world, may we be willing to pray, "Lord, take our minds, and think through them; Lord, take our lips, and speak through them; Lord, take our hearts, and set them on fire with a passion to do the right."

For Jesus' sake. Amen.

## THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 17, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—  
APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on today, July 18, 1947, the President had approved and signed the following acts:

S. 558. An act for the relief of the alien Michael Soldo;

S. 564. An act to provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability of the President and Vice President;

S. 1419. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds;

S. 1402. An act to authorize the parishes and congregations of the Protestant Episcopal Church in the District of Columbia to establish bylaws governing the election of their vestrymen; and

S. 1462. An act to authorize the official reporters of the municipal court for the District of Columbia to collect fees for transcripts, and for other purposes.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 123) to terminate certain emergency and war powers, with amendments in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3131) to extend for the period of 1 year the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. O'HARA, Mr. McMAHON, Mr. ALLEN of California, Mr. HARRIS, and Mr. ABERNETHY were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills,

By Mr. GWINN of New York:  
H. Con. Res. 84. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. HERTER:  
H. Con. Res. 85. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. JACKSON of California:  
H. Con. Res. 86. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. JAVITS:  
H. Con. Res. 87. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. JUDD:  
H. Con. Res. 88. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. KEATING:  
H. Con. Res. 89. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. LODGE:  
H. Con. Res. 90. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. MacKINNON:  
H. Con. Res. 91. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. MEADE of Kentucky:  
H. Con. Res. 92. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. MITCHELL:  
H. Con. Res. 93. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. MORTON:  
H. Con. Res. 94. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. RIEHLMAN:  
H. Con. Res. 95. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mrs. ST. GEORGE:  
H. Con. Res. 96. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. SEELY-BROWN:  
H. Con. Res. 97. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mrs. SMITH of Maine:  
H. Con. Res. 98. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. STRATTON:  
H. Con. Res. 99. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. TOLLEFSON:  
H. Con. Res. 100. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. TWYMAN:  
H. Con. Res. 101. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. WOODRUFF:  
H. Con. Res. 102. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. YOUNGBLOOD:  
H. Con. Res. 103. Concurrent resolution relative to the Palestine situation; to the Committee on Foreign Affairs.

By Mr. WOLCOTT:  
H. Con. Res. 104. Concurrent resolution to establish a joint congressional committee to be known as the Joint Committee on Housing; to the Committee on Rules.

By Mr. ANDREWS of New York:  
H. Res. 303. Resolution to provide funds for the expenses of investigations and studies authorized by House Resolution 141; to the Committee on House Administration.

H. Res. 304. Resolution to authorize the reprinting of certain hearings held on universal military training in the Seventy-ninth Congress; to the Committee on House Administration.

By Mr. FELLOWS:  
H. Res. 306. Resolution to make an investigation of the immigration system; to the Committee on Rules.

By Mrs. ROGERS of Massachusetts:  
H. Res. 307. Resolution providing for the consideration of H. R. 246; to the Committee on Rules.

H. Res. 308. Resolution providing for the consideration of H. R. 4007; to the Committee on Rules.

H. Res. 309. Resolution providing for the consideration of H. R. 3814; to the Committee on Rules.

H. Res. 310. Resolution providing for the consideration of H. R. 3739; to the Committee on Rules.

H. Res. 311. Resolution providing for the consideration of H. R. 4055; to the Committee on Rules.

H. Res. 312. Resolution providing for the consideration of H. R. 3888; to the Committee on Rules.

H. Res. 313. Resolution providing for the consideration of H. R. 3623; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUCHINCLOSS:

H. R. 4260. A bill to correct possible inequity in the case of a certain application for letters patent of William R. Blair; to the Committee on the Judiciary.

By Mr. BARTLETT:

H. R. 4261. A bill to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, all of Anchorage, Alaska; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H. R. 4262. A bill to provide for the admission of Lawrence M. Lew to the United States as a nonquota immigrant; to the Committee on the Judiciary.

By Mr. KEEFE:

H. R. 4263. A bill for the relief of Ida Hohelisel, executrix of the estate of John Hohelisel; to the Committee on the Judiciary.

H. R. 4264. A bill for the relief of the bondholders of the Bankers Joint Stock Land Bank, of Milwaukee, Wis.; to the Committee on the Judiciary.

By Mr. LODGE:

H. R. 4265. A bill for the relief of Danyel Sages; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H. R. 4266. A bill for the relief of Virginia Nunes; to the Committee on the Judiciary.

By Mr. SMATHERS:

H. R. 4267. A bill for the relief of John K. Murphy; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

751. By the SPEAKER: Petition of Henry J. Foley, petitioning consideration of his resolution with reference to a plan for the rehabilitation of Europe; to the Committee on Foreign Affairs.

752. By Mr. PLUMLEY: Resolution of the Kiwanis Club of Burlington, Vt., in favor of a true substance of the Stratton bill, H. R. 2910, or a like measure designed to accomplish the same results; to the Committee on the Judiciary.